

HERBERT
IN
England & Virginia
1399 ~ 1900s
by

Alice Granbery Walter

116 B Pinewood Road, Virginia Beach, Virginia 23451

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HERBERT
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REFERENCE
DO NOT REMOVE FROM LIBRARY

LEWELLYN AP SEIREYLL
PRINCE OF WALES 1015
DEFEATED ENGLISH AT HEREFORD
HER DAU EMMA X HERBERT
COUNT D'EVERMUNDUS

THE FORGERY

DRU DE BALADON (DWNH)
WALTER X EMME C & CO-H WITH 3 SONS
CONSTABLE OF ENGLAND
GRUFFYDD AP LLYWELYN
PRINCE OF SOUTH WALES - 1013-1063 (M)
NEST X BERNARD NEWMARCH

HERBERT

HABITATION IN SAINT MICHAEL
(FITEROY) HIS CASTLE IN YE FORRES OF DANYS (DWNH 193)
H LORD OF THE FOREST OF DEAN "SON OF HARE" (196)
FITEROY (INTERPOLATION)
FITZ HERBERT (DWNH 193) (M)
FITZ ROY E. OF EWEYTON B. OF SUDBURY
(2008 488) CO SUP
CHAMBERLAIN TO HENRY I CRO d 1125
BORN OF CORNWALL

I Henry Fitz

HARBERT FITZ HARBERT X HEATC AYS AP TEUWON TOWYDOD
REHERBATH PRINCE OF SOUTH WALES
LIVED OVER 82 YRS - 1077-1088 (196)
NOTE (282) THIS LINE MUST BE IN ERROR AS NEXT AFTER HAVING
BORN ONE OR TWO SONS TO HENRY I HE SEEMED BE WINDSOR

BURKE'S
DOES NOT
THIS GEN
SAYS "BY
SONS, REG
PETER TO
EXTINCT
GIVE
CRATION
(5) HAD 3
IN ALD
M ATHEW

MILF FITZWALTER X SYBIL, ELDEST DAUGHTER
EARL OF HEREFORD HIGH CONSTABLE OF ENGLAND, ONE OF
THE CHIEF COUNSELLORS IN THE COURT OF HENRY I. HE WAS
MUCH MIXED UP WITH THE PROCEEDINGS IN THE REIGN
OF STEPHEN HAVING ESPOUSED THE CAUSE OF THE EMPEROR
HARD, WHO MADE HIM EARL OF HEREFORD AND GAVE
HIM THE LORDSHIPS OF MAWERDIN, LUGWARDING AND
WILTON, ALL IN THAT COUNTY. HE WAS WOUNDED BY
THE SHAF OF AN ARROW IN HUNTING CHRISTMAS EVE,
1144, WHICH OCCASIONED HIS DEATH. HE HAD DYSIBYL
5 SONS & 3 DAUS, BUT ALL THE FORMER DYING WITHOUT
ISSUE, THE LATTER BECOMING CO-HEIRESS,

ONLY SON & HEIR (EO)

II Herbert Fitz

HERBERT

Chamberlain to King Stephen 1140 d 1205 (res)
Sheriff of Gloucester 1145 Bn of Southampton 1187 (196)
LORD OF THE FOREST OF DEAN

LWYSY & CO-H M T C A, E. & Hereford
BUE AT LANWORTHY (ED)
SHE BROUGHT WITH HER THE
LORDSHIP OF DEAN & OTHER (81)
LARGE POSSESSIONS CO. GLOUCESTER & BRECON

III REGINALD FITZHERBERT
D.S.P. WITH PATRIS

ISABELL & CO-H WILLIAM BARON BRONSE
WIDOW OF DAVID SON OF LLEWELLYN PRINCE
OF SOUTH WALES. SHE BROUGHT WITH HER
THE BARRONY OF GLENCEVENNY

PETER FITZ HERBERT (196)
d 1235
GOV. OF PYKING CASTLE 1214
SHERIFF OF YORKSHIRE 1215
OBTAINED THE HONORS OF BERTSTAPLE
CO. DEVON IN 1144
REPUTED TO BE ONE OF KING JOHN'S EVIL
COUNCILLORS (1199-1216)

ALES & SIR JOHN ST JOHN (116 DWNH)
ON OF STRUNTON, ST JOHN
ALES & ROBERT FITZ ROGER (COLLINS P)
BORN OF NO UNDERLAND (EO)

MATHEW
SHERIFF OF
SUSSEX 1211
P
ELENNOR

IV HERBERT FITZ-PETER
d sp 1247/8
s by BRO REGINALD

REINALT (REYNOLD, REGINALD) FITZ PETER
d. 1285
SHERIFF OF HAMPSHIRE
GOVERNOR OF CASTLE OF WINCHESTER. MARCHED AGAINST WELCH IN THE 42ND YEAR OF HENRY III
1258. s by HIS SON JOHN

JOWAN & CO-H SIR WILLIAM FORTIBUS, KNT.
d 1275 d 1323
LORD OF CHENTON CO. SOMERSET
ARMS: A BARS RA 3 MORRAULS GULE

ENG CHART DOES NOT GIVE HIM NOT ON FORGERY (P 196)

V JOHN FITZ REGINALD
SUMMONS TO PAEL FROM
1297 TO 1307 BUT HIS
DESCENDANTS WHO ALL
BORE THE SURNAME
OF FITZ HERBERTS
WERE NEVER ESTEEMED
BARONS. HAD ISSUE

REGINALD FITZ REGINALD
b d 1328 (EO)
X JOANNE & CO-H ROBT MARTEL
HAD ISSUE

PETER FITZ REGINALD X ALES & SOLE-H BLETHTYN BROADSPEARE, KNT.
b d
LORD OF LLANILWEL & BLETLEY
LORD FITZ REGINALD, THE FITZHERBERTS, - EARLS OF PEMBROKE ARE SAID
TO DESCEND FROM FROM THIS PETER FITZ REGINALD. THE HOUSE OF
HERBERT DEDUCES DESCENT FROM THIS PETER, BROTHER OF JOHN FITZ
REGINALD DERIVED FROM HERBERT FITZ HERBERT.
HE HAD AGRANT FROM HIS MOTHER, JOANNE & WILLIAM DE VIVENIA 1275
ARMS: ARG. ACHIEF VAIR OR. & GU OVER ALL A BEND AZ.

LUCY
X WM
LA ROSS
LA HALLAKE

(EO) GIVES: (AN EXTRA GENERATION HERE)
(1) PETER FITZ HERBERT X ALICE & CO-HIR OF GLEDESINE BROCKW GREEN
BNP SON
1ST SON: ROGER HAD ISSUE (EO)

VII REGINALD FITZ PETER
LORD O' LLANILLOWEL & BLETLEY

MARGED & SIR JOHN WELS, KNT.
LORD O' LLANILLOWEL & BLETLEY
LORD O' LLANWERN

ONLY SON (X 142, 292 & ForgerY)

SIR THOMAS AP ADAM
s TO LORDSHIP OF LLANILLOWEL
HIS LINE BECAME EXTINCT WITH
HIS ONLY SON, JOHN WHO X
AND HAD AN ONLY CHILD, ADAM,
X

ADAM AP REGINALD X XTIAN (CHRISTIAN) & H GWARYDDU (GWERNODU)
LORD O' LLANILLOWEL & BLETLEY (EO 1212, 1213, 1214, 1215, 1216, 1217, 1218, 1219, 1220, 1221, 1222, 1223, 1224, 1225, 1226, 1227, 1228, 1229, 1230, 1231, 1232, 1233, 1234, 1235, 1236, 1237, 1238, 1239, 1240, 1241, 1242, 1243, 1244, 1245, 1246, 1247, 1248, 1249, 1250, 1251, 1252, 1253, 1254, 1255, 1256, 1257, 1258, 1259, 1260, 1261, 1262, 1263, 1264, 1265, 1266, 1267, 1268, 1269, 1270, 1271, 1272, 1273, 1274, 1275, 1276, 1277, 1278, 1279, 1280, 1281, 1282, 1283, 1284, 1285, 1286, 1287, 1288, 1289, 1290, 1291, 1292, 1293, 1294, 1295, 1296, 1297, 1298, 1299, 1300, 1301, 1302, 1303, 1304, 1305, 1306, 1307, 1308, 1309, 1310, 1311, 1312, 1313, 1314, 1315, 1316, 1317, 1318, 1319, 1320, 1321, 1322, 1323, 1324, 1325, 1326, 1327, 1328, 1329, 1330, 1331, 1332, 1333, 1334, 1335, 1336, 1337, 1338, 1339, 1340, 1341, 1342, 1343, 1344, 1345, 1346, 1347, 1348, 1349, 1350, 1351, 1352, 1353, 1354, 1355, 1356, 1357, 1358, 1359, 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, 1380, 1381, 1382, 1383, 1384, 1385, 1386, 1387, 1388, 1389, 1390, 1391, 1392, 1393, 1394, 1395, 1396, 1397, 1398, 1399, 1400, 1401, 1402, 1403, 1404, 1405, 1406, 1407, 1408, 1409, 1410, 1411, 1412, 1413, 1414, 1415, 1416, 1417, 1418, 1419, 1420, 1421, 1422, 1423, 1424, 1425, 1426, 1427, 1428, 1429, 1430, 1431, 1432, 1433, 1434, 1435, 1436, 1437, 1438, 1439, 1440, 1441, 1442, 1443, 1444, 1445, 1446, 1447, 1448, 1449, 1450, 1451, 1452, 1453, 1454, 1455, 1456, 1457, 1458, 1459, 1460, 1461, 1462, 1463, 1464, 1465, 1466, 1467, 1468, 1469, 1470, 1471, 1472, 1473, 1474, 1475, 1476, 1477, 1478, 1479, 1480, 1481, 1482, 1483, 1484, 1485, 1486, 1487, 1488, 1489, 1490, 1491, 1492, 1493, 1494, 1495, 1496, 1497, 1498, 1499, 1500, 1501, 1502, 1503, 1504, 1505, 1506, 1507, 1508, 1509, 1510, 1511, 1512, 1513, 1514, 1515, 1516, 1517, 1518, 1519, 1520, 1521, 1522, 1523, 1524, 1525, 1526, 1527, 1528, 1529, 1530, 1531, 1532, 1533, 1534, 1535, 1536, 1537, 1538, 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1705, 1706, 1707, 1708, 1709, 1710, 1711, 1712, 1713, 1714, 1715, 1716, 1717, 1718, 1719, 1720, 1721, 1722, 1723, 1724, 1725, 1726, 1727, 1728, 1729, 1730, 1731, 1732, 1733, 1734, 1735, 1736, 1737, 1738, 1739, 1740, 1741, 1742, 1743, 1744, 1745, 1746, 1747, 1748, 1749, 1750, 1751, 1752, 1753, 1754, 1755, 1756, 1757, 1758, 1759, 1760, 1761, 1762, 1763, 1764, 1765, 1766, 1767, 1768, 1769, 1770, 1771, 1772, 1773, 1774, 1775, 1776, 1777, 1778, 1779, 1780, 1781, 1782, 1783, 1784, 1785, 1786, 1787, 1788, 1789, 1790, 1791, 1792, 1793, 1794, 1795, 1796, 1797, 1798, 1799, 1800, 1801, 1802, 1803, 1804, 1805, 1806, 1807, 1808, 1809, 1810, 1811, 1812, 1813, 1814, 1815, 1816, 1817, 1818, 1819, 1820, 1821, 1822, 1823, 1824, 1825, 1826, 1827, 1828, 1829, 1830, 1831, 1832, 1833, 1834, 1835, 1836, 1837, 1838, 1839, 1840, 1841, 1842, 1843, 1844, 1845, 1846, 1847, 1848, 1849, 1850, 1851, 1852, 1853, 1854, 1855, 1856, 1857, 1858, 1859, 1860, 1861, 1862, 1863, 1864, 1865, 1866, 1867, 1868, 1869, 1870, 1871, 1872, 1873, 1874, 1875, 1876, 1877, 1878, 1879, 1880, 1881, 1882, 1883, 1884, 1885, 1886, 1887, 1888, 1889, 1890, 1891, 1892, 1893, 1894, 1895, 1896, 1897, 1898, 1899, 1900, 1901, 1902, 1903, 1904, 1905, 1906, 1907, 1908, 1909, 1910, 1911, 1912, 1913, 1914, 1915, 1916, 1917, 1918, 1919, 1920, 1921, 1922, 1923, 1924, 1925, 1926, 1927, 1928, 1929, 1930, 1931, 1932, 1933, 1934, 1935, 1936, 1937, 1938, 1939, 1940, 1941, 1942, 1943, 1944, 1945, 1946, 1947, 1948, 1949, 1950, 1951, 1952, 1953, 1954, 1955, 1956, 1957, 1958, 1959, 1960, 1961, 1962, 1963, 1964, 1965, 1966, 1967, 1968, 1969, 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 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2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 2679, 2680, 2681, 2682, 2683, 2684, 2685, 2686, 2687, 2688, 2689, 2690, 2691, 2692, 2693, 2694, 2695, 2696, 2697, 2698, 2699, 2700, 2701, 2702, 2703, 2704, 2705, 2706, 2707, 2708, 2709, 2710, 2711, 2712, 2713, 2714, 2715, 2716, 2717, 2718, 2719, 2720, 2721, 2722, 2723, 2724, 2725, 2726, 2727, 2728, 2729, 2730, 2731, 2732, 2733, 2734, 2735, 2736, 2737, 2738, 2739, 2740, 2741, 2742, 2743, 2744, 2745, 2746, 2747, 2748, 2749, 2750, 2751, 2752, 2753, 2754, 2755, 2756, 2757, 2758, 2759, 2760, 2761, 2762, 2763, 2764, 2765, 2766, 2767, 2768, 2769, 2770, 2771, 2772, 2773, 2774, 2775, 2776, 2777, 2778, 2779, 2780, 2781, 2782, 2783, 2784, 2785, 2786, 2787, 2788, 2789, 2790, 2791, 2792, 27

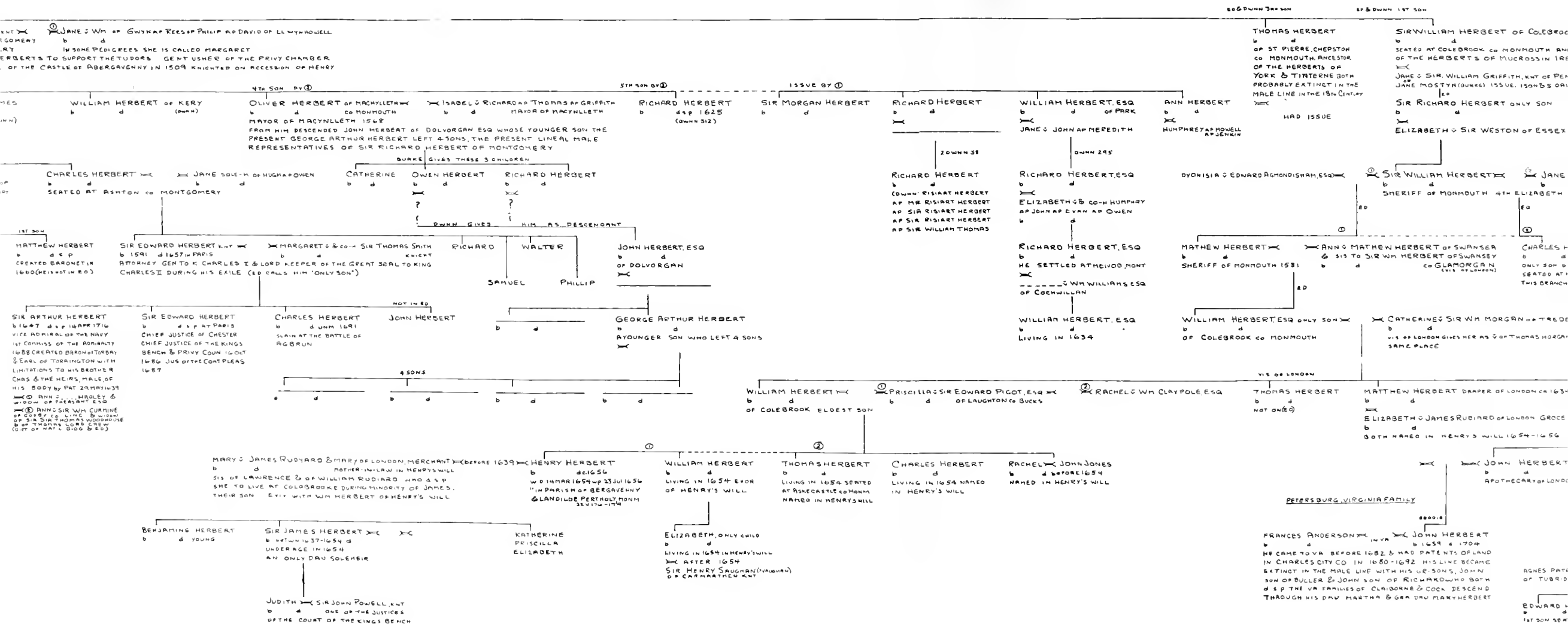
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GRIFFITH AP NICHOLAS, ESQ

ND HAD ISSUE ONE SON

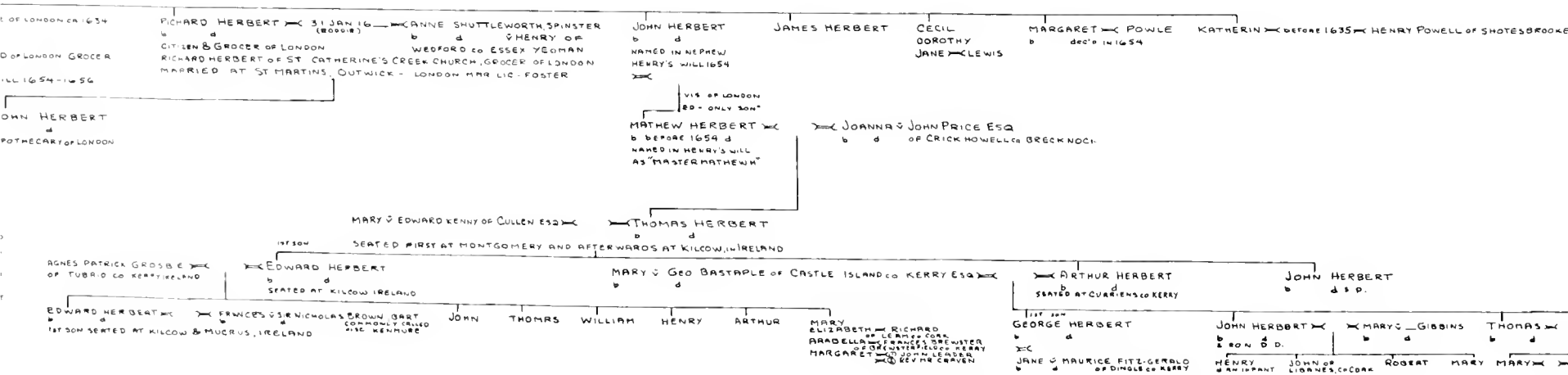


ERT OF COLEBROOK, KNT
CO MONMOUTH ANCESTOR
OF MUCROSSIN IRELAND
GRIFFITH KNT OF PENRYN
ISSUE: 1500 BS DRUS
ERT ONLY SON
ESTON OF ESSEX, KNT


Herbert in England 1424 - 1700s

RESEARCHED and COMPILED BY *Allice Granberry Walter*
1977

JANE & THOMAS & JOHN
b d OF TRESVEN
4TH ELIZABETH 1561
ED
CHARLES HERBERT
b d
ONLY SON BY 2ND WIFE
SEATED AT HADNOCK
THIS BRANCH IS EXTINCT
MORGAN & TREDEGAR KNT
G OF THOMAS MORGAN KNT JATHE



REFERENCES:
EDMUNDSON
VISITATIONS OF LONDON 1633-35
BURKE EXTINGUISHED PEERAGE 271-6
BURKE GENEALOGICAL HISTORY
SHAKESPEARE'S HERALDRY
LEWISOWNN VISITATIONS OF WALES, LD. METRICK
DICTIONARY OF NAT'L BIOGRAPHY
HISTORY OF MONMOUTH SHIRE
HUNDRED OF RAGLAN VOL II PART I
BY COL. J.A. BRADLEY CA 1910



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<http://www.archive.org/details/herbertinengland00walt>

SIR HENRY HERBERT, 2nd EARL OF PEMBROKE = (1) 1553 = CATHERINE dau of HENRY GREY Duke of Suffolk
 b 1534 1559 - 1601 (ED) Divorced Sister of LADY JANE GREY (ED)
 d 19 Jan 1601/2 Buried in Salisbury Cathedral For political reasons after fall of Grey Family
 marriage was declared null and void.
 = (2) 1562/3 LADY CATHERINE TALBOT dau of GEORGE, Earl of
 b d 1575 Shrewsbury
 ALL ISSUE BY LADY MARY, Countess of Pembroke = (3) 1577 = MARY SIDNEY dau of SIR HENRY SIDNEY
 b 1561 sis of SIR PHILIP SIDNEY
 d 25 Sep 1621 buried in Salisbury Cathedral

Succeeded as EARL OF PEMBROKE &c in 1569
 Installed Knight of the Garter 20 May 1574
 President of the Councell of the welch Marches
 In 1574 he is said to have entertained Queen
 Elizabeth at wilton.
 Lord of North and South Wales, & of Hereford,
 Shropshire, Wiltshire & Worcester.
 A General in the Army & an Admiral in the Navy.
 Prominent in the Trial of Mary, Queen of Scots
 in 1586.

English author and literary patron; sister and
 literary executor of Sir Philip Sidney. Sug-
 gested Sidney's Arcadia, composed for her
 amusement (1580-31); collaborated with her
 brother in metrical psalms; translated
 French works; patron of SAMUEL DANIEL, NICH-
 OLAS BRETON, BEN JONSON. Depicted as Urania
 in Colin Clouts Come Home Againe by Spencer
 and as Clorinda in Astrophel.

The armor of HENRY HERBERT (1534 - 1601) 2nd
 Earl of Pembroke, was made in the royal armory
 at Greenwich and, like the Montmorency armor,
 came from Wilton House. The first folio edition
 of Shakespeare, published in 1623, was dedicated
 to two of Henry's sons, PHILIP and WILLIAM, the
 third Earl. The Pembroke armor is decorated
 with etched and gilded bands enclosing trophies
 and heraldic arms that form an integral feature of
 the decorative scheme and epitomize the history of
 the great Pembroke family. The inclusion of the
 Garter in the motifs dates the suit after the
 year 1574, when the Earl was knighted. The armor,
 together with its exchange pieces is illustrated
 in an armorer's album of the time of Elizabeth,
 now in the Victoria and Albert Museum. The draw-
 ings in this album, executed in pen and ink and
 water colors, represent twenty-nine full suits,
 with supplemental pieces for tilting, belonging
 to prominent nobles and captains of Elizabeth's
 reign. (This armor is now 1971 in the Metropolitan
 Museum of Art in New York City. The description
 given above is from their Booklet "Historical Armor"

"the Epitaph on the Dowager Countess of Pembroke,
 attributed to Ben Jonson is one of the best
 known and most largely quoted in the language"

Ep 7 & Ep 9

"Underneath this sable hearse
 Lies the subject of all verse.
 Sidney's sister, Pembroke's Mother:
 Death! ere thou hast slain another
 Lern'd and fair, and good as she
 Time shall throw a dart at thee.

Marble piles let no man raise
 To her name for after days;
 Some kind woman born as she,
 Reading this, like Niobe
 Shall turn mourner, and become
 Both her mourner and her tomb."

published New York 1946) but - In the 10th Edition of Curiosities in Wilton House, Salisbury MDCCLXXXIV:
 "In the Gallery of the Great Hall, There are several suits of armour, disposed in niches: One of them
 belonged to WILLIAM, EARL OF PEMBROKE, who commanded the English forces at the battle of St. Quintin;
 another of the Constable Montmorency, taken prisoner there; and another to the Duke of Montpenfier, also
 taken prisoner there." (does this mean that the Henry Herbert armor is William's and dated after 1549?)

SIR WILLIAM HERBERT
 s. as 3rd Earl of Pembroke 1601
 b 1580 d 1630
 = 1604
 MARY TALBOT dau of GILBERT Earl
 b of Shrewsbury
 d
 Queen Elizabeth was his Godmother.
 He was a Member of the Virginia Co
 in 1609.
 His only child HENRY died in infancy

PHILLIP HERBERT
 Earl of Montgomery & Shurland
 4 Jun 1606, 3rd Jas.
 s. as 4th Earl of Pembroke 1630
 Knt of the Garter 18 May 1608
 Lord Chamberlain to Charles I
 Chancellor of University of Oxford
 Member of Virginia Company of London
 in 1612 Paid £ 160
 b 1584 d 23 Jan 1649/50
 = (1)=
 LADY SUSAN de VERE dau of EDWARD
 b Earl of Oxford
 d 1628
 = (2)= 1630
 ANNE dau & h. of GEORGE, Earl of
 Cumberland (Clifford)

ANNE HERBERT

PEMBROKE CHART

REFERENCE:
 Ep = Epitaphs - Graveyard Humor & Eulogy by W. H. Seable,
 ED = Pedigrees of the English Peers by Sir Wm. Segar & continued by Joseph Edmondson &c 1784
 Encyclopedia Britannica
 Websters Biographical Dictionary First Edition 1943, Springfield, Mass.
 Antiquities & Curiosities in Wilton House 10th Edition Salisbury MDCCLXXXIV
 & also - the modern guide books to Wilton House

THE HERBERT FAMILY HAS LIVED IN COUNTY KERRY SINCE THE TIME OF ELIZABETH I born 1533 - 1558 - 1603

FIRST HERBERT TO HOLD LAND IN COUNTY KERRY was:

SIR WILLIAM HERBERT of St. Julians Monmouthshire

b d
He was granted extensive estates in the Julians, Monmouthshire and in 1580 was granted extensive estates in the region of CASTLE ISLAND.

Created LORD of CASTLE ISLAND 1580

He had no male issue, but his daughter MARY HERBERT

b 1577 d
= 1598 she was 21 years old
he was 15 years old

EDWARD, LORD HERBERT of CHIRBURY

b 1581 or 1583 Eyton, Shropshire
d 1640 buried at St. Giles in the Fields, Middlesex

1624 - Created Baron Herbert of Castle Island

7 May 1629 - Created Baron Herbert of Chirbury co. Salop.

In his autobiography it is proved that he was 15 when married which proves his birth date to be 1583.

+++++

MUCKROSS HOUSE KILLARNEY, was built in 1843 of Portland Stone and cost £ 30,000. The owners in 1843 were HENRY ARTHUR HERBERT M. P. for Kerry who had the home built. In 1899 the property was sold to LORD ARDILAUN.

In 1911 MR. WILLIAM BOWERS BOURN bought it as a wedding gift for his daughter, Maude, and her husband, ARTHUR VINCENT.

In 1932 the House and Estate of 11,000 acres presented to the Irish Nation by the family. The Gardens, originally laid out by the HERBERTS were extended by Mr. Vincent and now developed and maintained by the commissioners of public works. The Guide Book has pictures of the house and rooms

MUCKROSS CHART

RICHARD HERBERT

2nd Lord Herbert of Chirbury
b sa 1599 living in 1643
d 1655 Buried at Montgomery = 1614

LADY MARY EGERTON dau of Sir John Egerton, Earl of
b Bridgewater
d

EDWARD HERBERT

3rd Lord Herbert of Chirbury
b ca 1600 living in 1643
d. s. p.

BEATRICE HERBERT

b ca 1601 d unm 1608

FLORENCE HERBERT

b ca 1605 d young ca 1608

THOMAS HERBERT

b ca 1603 d "Shortly hereafterwaris"

EDWARD HERBERT

b after 1614 In grandfather's will 1648
dsp 1678 Buried in Westminster Abbey
= (1)

ANN daughter of SIR THOMAS MIDDLETON
b d

= (2)

ELIZABETH dau & co-h of GEORGE BARON CHANDOS
b d

HENRY HERBERT Succeeded as 4th Lord of Chirbury
b dsp 1691
=

CATHERINE dau of FRANCIS NEWPORT 1st Earl of Bradford Lymore, Montgomeryshire
b d

Is he the Henry Herbert in Virginia 1656 with dau Martha & wife Susan? The title became extinct, but in 1694 was revived in favor of Henry Herbert 1654-1709 son of Sir Henry Herbert 1595-1673, brother of the first Lord Herbert of Chirbury. The Barony has since been held by the Earls of Powis. (Ency)

The Newport name is a familiar one in Virginia. Capt. Christopher Newport having made 4 trips in the early 1600s. Sir Francis Newport was the 1st Lord Herbert of Chirbury's mother's brother. Catherine inherited Lymore, Montgomeryshire, the shief seat of the Herbert Family after Cromwell demolished Montgomery Castle and the original manuscript of Edward, Lord Herbert's Autobiography was found there.

ARABELLA HERBERT d unm

ALICE HERBERT = PAUL BARRARD ESQ.

FRANCES HERBERT = after 1648 = WILL BROWN ESQ.

FLORENTIA HERBERT youngest daughter

= after 1648 (in gr-father's will)

RICHARD HERBERT 2nd son of FRANCIS HERBERT of Oakley Park

THOMAS HERBERT

b d

Is he the "Cousin" that the 3rd Lord of Chirbury brought to County Kerry as his agent in 1656? He is the ancestor of the Herberts of Ireland. He had a son whose son

JOHN HERBERT

b by or bef 1628 d ED says he d young

John Herbert alias Wilkinson born bef 1628 of age 1649 in Virginia by 1649. He died at Sea or elsewhere betw. 1669 - 1675. He witnessed a deed in Lower Norfolk Co. Va. in 1649 which proves his birth by 1628 or before. He could not have succeeded to the Chirbury Title as he died before brothers from whom the title would have come. His son John died 1679 and his other son died in 1691/2 the same time as the elder brother so his sons could not have succeeded to the title.

FRANCIS HERBERT of Oakley Park
b d 1719

Heir of his Uncle HENRY, 4th LORD OF CHIRBURY.

EDWARD HERBERT

gr-son & heir of Thomas. Member of Parliament for Ludlow. The present titular Herbert of Muckross is MAJ. GEN. SIR OTWAY HERBERT of Liandow House, Ireland.



EDWARD LORD HERBERT OF CASTLE ISLAND IN COUNTY KERRY, IRELAND 1624 - 1648 & BARON HERBERT OF CHERBURY co. SALOP, ENG.

CALLED THE BLACK LORD HERBERT BECAUSE OF HIS BLACK HAIR AND BEARD,

b 1583 at Eyton, co SHORPSHIRE (Ency & Autbio)
b 1581 (Lodge)

d 20 Aug 1648 at his house in Queen St., London
Buried in Chancel of St. Giles in the Fields,
Middlesex. (ED, Lodge & Ency)

wd 1 Aug 1648 (Film 92169 PCC 1648 Pol.138)
wp 5 Oct 1648 (the probate is in latin)
"within the Kingdome of England and of Castle
Island within the realme of Ireland".

Wit: Joane Browning, Art: Treavor, Frid: Kilm,
Thomas Thomas, Richard Davis, Dorothy
Watson, and Griffith Jones.

Exors: "grandsonne EDWARD HERBERT and friends
John Golden, of the Inner Temple Esq.,
and Evan Thomas of Bishoppes Castle in co.
Salop (Shropshire) Gent., to be Exors.
in trust for the sole use and benefitt
of my grandsonne, EDWARD."

Overseers: "My most noble friend LORD NORTH
and good friend SIR THOMAS TREAVOR Knight
one of the Barons of his Maesties Court
of Exchequer.

- 28 Feb 1598/9 at the age of 15 years (Autbio)
she was 21 years old
"Married in the house at Eyton by the same Vicar
who married my mother and father and christened
and married me."

LADY MARY HERBERT sole daughter and heir of
MONTGOMERY, by her father
SIR WILLIAM HERBERT of ST. JULIEN do. MONMOUTH
(he died 1593) the male heir to the "Old EARLE
OF PEMBROKE" by a younger son of his (for the
eldest son had a daughter who carried away
those great possessions the EARLE of WORCESTER
now holds in MONMOUTHSHIRE) having only one
daughter surviving, made a will whereby he
estated all his possessions in MONMOUTHSHIRE
and IRELAND upon his said daughter, upon the
condition that she married one of the sur-
name of HERBERT, otherwise the said lands to
descend to the heirs male of the said SIR
WILLIAM". (Autbio) After her father died,
the heir Mary, continued unmarried 'till she
was one and twenty, none of the Herberts
appearing in all that time who either in age
or fortune was fit to match her. (Autbio)

b 1577
d
In 1619 she developed a dropsie which kept
her without children for many years. (Autbio)

REFERENCES:

Autbio = The Life of Edward Lord Herbert of Cherbury
written by Himself. 3rd Edition London. Printed
for J. Dodsley in Pall Mall 1778.

ED = BARONAGIUM - Genealogies or the Pedigrees of the
English Peers by Sir William Segar Kt. Carter,
Principal King of Arms and continued to the pres-
ent time by Joseph Edmondson Esq., Mowbray Herald
Extraordinary. Pub. 1784 Fletcher & Co., England.

Lodge = Portraits of Illustrious Personages of Great
Britain, with Biographical and Historical Memoirs
of their Lives and Actions. By Edmund Lodge, Esq.
F.S.A. vol VI London. Printed for Harding and
Lepard 1835.

Vis. = Visitations of Shropshire 1623 p 125

DWNN = Heraldic Visitations of Wales & Part of the
Marches by Dwnn. 2.vols - Pub 1845.

Film 92169 PCC 1648 Pol. 138 = From Genealogical
Society of the Church of Jesus Christ and Latter
Day Saints. - Lord Herbert's 1648 will. A photo-
graphic copy of the original.

VC = Records of the Virginia Company of London Ed.
Susan M. Kingsbury. 4 vols. Wash. 1906-35.

Barbadoes = British West Indies, Deed Books of
Ge² = The Genealogist, New Series

History and Guide to Muckross House Killarney,
Ireland. Pub. 1970.

COLLONEL RICHARD HERBERT 2ND LORD HERBERT OF CHERBURY

b ca 1599 - 49 years in 1648
d 1655 - aged 56 years
Buried at MONTGOMERY
= 1614

LADY MARY EGERTON DAUGHTER OF
SIR JOHN, EARL OF BRIDGEWATER
(Vis. of Shropshire 1623 p 175)

b Living in 1648
d

BEATRICE HERBERT

b ca 1601
Living in 1648 (father's will)
d unmarried

FLORENCE HERBERT

b before 1604
d shortly thereafter (Autbio)

THOMAS HERBERT

b ca 1603
d shortly thereafter (Autbio)

EDWARD HERBERT, CAPTAIN 3RD LORD HERBERT OF CHERBURY

b ca 1608
ds p
will - 1657 will of Edward.
Lord Herbert of Cherbury.
(Perogative wills of Ireland
by Vicars. This will was in
the Public Record Office of
No. Ireland in 1897. (VI 104)

Edward Herbert Esq. was an Ad-
venturer to Virginia in 1619
with the Va. London Company. A
Lawyer in 1619. (the above Edward
was only 11 years old?)(LVC281,84)

Edward Herbert Esq. decd in Barba
does 28 Sep 1648 (Deeds Barbadoes
vol 3 p 699)

His father's will "to my second sonne
Edward Herbert all that Manor Farm and
everything in the county of Montgomery
for the terme of his naturall life
.....after his decease I devise my
said Manor Farm and Lordshyp of Clyssen?
unto my grandsonne Edward.....to paie
to two soldiers.....in their right
hands at the gate of my CASTLE AT MOUNT-
GOMERY....."

In his autobiography Sir Edward says:
(p 52) ""a son born about 1603".....
pp 56-58 - "Having had divers children
between 1598 - 1604 I have now (1643)
none living but Beatrice, Richard and
Edward". In 1619 Mary "developed a
dropsie which kept her without children
for many years."

RESEARCHED AND COMPILED BY

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1st son

EDWARD HERBERT

b ca 1615 in gr-f's 1648 will
dap 1678 - Bur. in Westminster Abbey
= (1)

ANN MIDDLETON DAU OF SIR THOMAS MIDDLETON
of Chirk Castle, Knight.

b (Sir Thomas Middleton was in
d Barbadoes in 1638 & with the
Va. Co. of London in 1618/19)

= (2)

ELIZABETH DAU & CO-H OF GEORGE BARON CHANDOS

b d
His grandfather, Edward left most of his estate
to him - "my personal estate at my CASTLE OF
MONTGOMERY and my plate in my said castle....
charging my said grandsoone that he neither sell
or give away nor as much as lend any of my said
bookes out of my said castle or that he sell away
the within furniture of the said castle.....his
said fatherto have the use of the said bookes and
household stuff during his life....." He left him
£ 20 in new gold, 8 & 20 pistols of French monie
and also the sum of £ 150 in silver.. towards his
educacon in some one of the universities of this
kingdome or in travell beyond the shores.....

HENRY HERBERT S. AS 4TH LORD OF CHERBURY

b dap 1691 1678
The title became extinct, but in 1694 was reviv-
ed in favor of HENRY HERBERT (1654-1709) son of
SIR HENRY (1595-1673) brother of the 1st Lord
Herbert of Cherbury. The Barony has since been
held by the Earls of Powis. (Ency)

Is this the same HENRY HERBERT in Virginia with
wife Susan and daughter MARTHA born in 1656 in
Lower Norfolk County? (7 Ge² 196)

He left his estate to his nephew FRANCIS HERB-
ERT of OAKLEY PARK, son of his sister FLOREN-
TIS HERBERT.

CATHERINE DAU OF FRANCIS NEWPORT 1ST EARL OF BRADFORD, LYMORE, MONTG.

b d
The NEWPORT name is a familiar one in Virginia,
CAPT. CHRISTOPHER NEWPORT made four trips in
the early 1600s. SIR FRANCIS NEWPORT was the
1st LORD HERBERT OF CHERBURY's mother's brother.

Catherine inherited LYMORE, MONTGOMERYSHIRE,
the chief seat of the Herbert Family after
CROMWELL demolished MONTGOMERY CASTLE and the
original manuscript of EDW: LORD HERBERT's
AUTOBIOGRAPHY was found there. (Autbio)

- ARABELLA HERBERT - died unmarried

- ALICE HERBERT = PAUL BARRARD ESQ.

- FRANCES HERBERT - In gr-f's will 1648
= after 1648
WILL BROWN ESQ.

- FLORENTIA HERBERT - youngest daughter

b d
= after 1648 - in gr-f's will
RICHARD HERBERT 2ND SON OF FRANCIS
HERBERT OF OAKLEY PARK

THOMAS HERBERT =

b d
He is not in ED nor in his gr-f's 1648 will,
however, unnamed grand children were in-
cluded in the will. Is he the "Cousin"
(nephew?) that the 3rd Lord of Cherbury
brought to County Kerry as his agent in 1656?
If so he is the ancestor of the Herberts of
Ireland. (Hist. & Guide to Muckross House
Killarney, Ireland Pub. 1970)

JOHN HERBERT - LEFT £ 80 IN NEW GOLD

b ca 1616 - 1628 - Living in 1648 Gr-f's will
ED says he died young.

JOHN HERBERT ALIAS WILKINSON

b before 1628 (He signed a deed in Lower Norfolk Co., Virginia
in 1649. - signed the name WILKINSON)

d before or ca 1675
wd 1669 - in which he said "and now bound out of this Country
wp 1675 Lower Norfolk County, Virginia (E p 185a)

= between 10 Jan 1655/6 - 15 Nov 1656 (C 117a)

MARY BENNETT MAID SERVANT OF CAPT. THOS. WILLOUGHBY

b ca 1631 (Df 38) d between 1672 - 1682 (E 131 LNco)

In Jul 1672 JOHN HERBERT is apparently still out of the country
for his wife, MARY, "humbly craves a hearing at the next Court,
unexpected Providence" being her reason. (E f 125a & 248 Lnc)
She is the mother of THOMAS WILLOUGHBY b betw. 15 Nov - 15 Dec
1654, illegitimate son of THOMAS WILLOUGHBY II. (C 96a,97,105,
110,113a,117a,186)

By 1644 conditions in England had become difficult because of
the Civil Wars. In a correspondence with Daniel Llewellyn of
Charles City, William Hallom of England wrote: "If these times
hold long amongst us we must all faine come to Virginia." The
message sent by Hallom was prophetic, for by 1650, many well-
to-do Englishmen, loyal to the Crown, fled to Virginia to es-
cape the wrath of Cromwell's men. Some were so deeply involved
politically that they assumed aliases. Captain Francis Dade
was known in Virginia, until the restoration, as Major John
Smith. Many who came to Virginia during Cromwell's period,
1649 - 1660, remained. (Domestic Life in the 17th Century, by
Annie Lash Jester, Jamestown 350th Anniversary Booklet #17 p 34)
The restoration of Charles II occurred in 1660.

JOHN HERBERT son of RICHARD and grandson of EDWARD 1st LORD
HERBERT OF CHERBURY inherited £ 80 in new gold from his grand-
father in 1648. JOHN HERBERT alias WILKINSON was in Lower
Norfolk County, Virginia in 1649 when he signed a deed (Vab 38)
JOHN WILKINSON. After the restoration, in 1664 JOHN HERBERT
alias WILKINSON resumes his proper name of HERBERT. (5 PB 265)

In 1662 JOHN WILKINSON is fined for not having his children
baptised. Court (4N33) Perhaps this is when he resumed his
"true name of HERBERT?"

His two sons were named JOHN, after himself, and RICHARD,
after his father in England? The division of his estate in
1682 proves that MARY BENNETT was the mother of THOMAS
WILLOUGHBY, JOHN HERBERT II AND RICHARD HERBERT and the wife
of JOHN HERBERT I. (5 DB 160)

In a History of Monmouthshire published about 1910 there are
PEDIGREES OF HERBERTS said to be relied upon for their correct-
ness. Photocopies of any pedigree pertaining to the EARLS of
PEMBROKE's descendants and the MONTGOMERY and CHERBURY LINES
may prove valuable in this research.

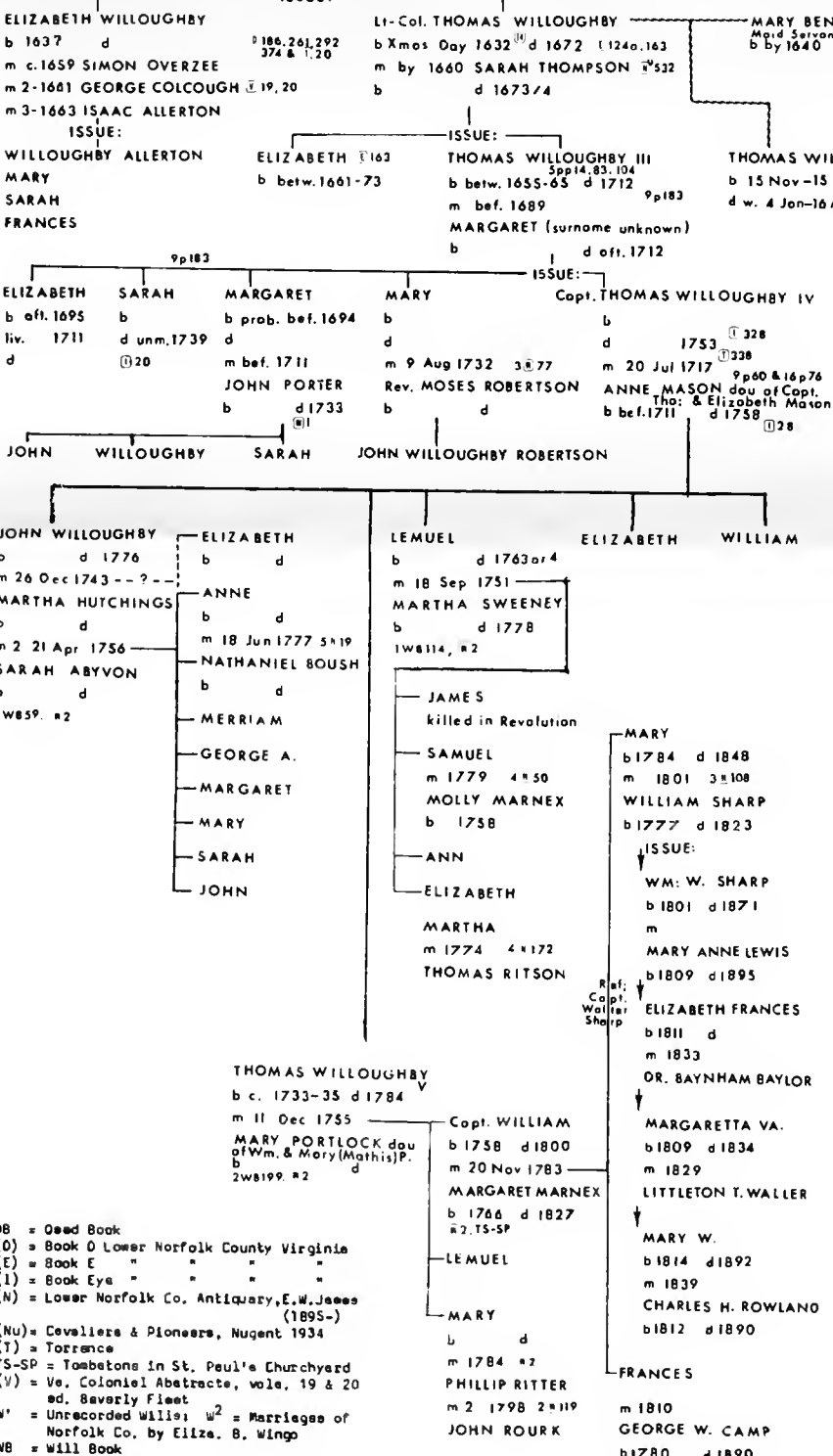


Capt. Thomas Willoughby = bef = (ALICE?)

b 1601 d bet Apr 1657 in All Holwies, Barking, London, England
 1610 - Come to Virginia in the ship "Prosperous"
 1625 - Ensign of Elizabeth City, Co. Va - 200 acs. in mouth of Pumunky (York) River plus 150 & 50 acs. in 1628 - Called Willoughby Point
 Living of Bosse's Choice on South side of James River - 100 acs.
 1627 - On his return to Vo., from a trip to England, he is said to be, aged 27 yrs, of Rochester, Eng.
 COMMISSIONER: for Upper Part of Eliz. City Co. 1628-29; Lower Norfolk Co., 1637-56
 BURGESS: " " " " 1629-32; " " " " 1645-56
 1635 - His "Now Dwelling House" in LNco.-2 Potents, 600 acs.
 1636 - Potents: 100 acs. Musketo Point (Glebe Creek in 1664)
 200 " Eastern Branch (50 acs. became Norfolk Town in 1682)
 300 " Southern "
 1640 - He returned to Vo., after a trip "out of the Colony" which lasted almost 3 years & he was away again: 6 year or more in 1644-45; for 4 years in 1649-53. In May 1655 he leaves Virginia and never returns.
 1644-47 - His son, Thomas, attended Merchant Taylor's Schol., London and his father is called "Merchant of Red Lyon Alley, St. Botolph, London, Eng."
 1649/50 - Thomas Jr. acting as Attorney for his father in Lower Norfolk Co. at the age of 17.
 1657, Apr. - Administration of the estate of Thomas Willoughby, late of Vo., who died in Allholwies, Barking, London, to his nephew Thomas Middleton Esq., of Barbados, for the use of the children, Thomas & Elizabeth, now beyond the sea.
 1658 - Adm. unto Thomas Jr. on his father's Estate, Capt. Willoughby, who dec'd. in Eng.

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- The Original List of Persons of Quality, John Camden Hotten
- Caribbeana, vol. 5 p 205
- Minutes of the Council & General Court, H. R. McIlwaine (1924) pp 79, 173, 188, 190, 192-3.
- Records of the Virginia Company of London, ed. Susan M. Kingebury (1906-1934) vol 4 p 558
- Sainsbury's Calendar & Virginia Carolorum by Neill (1886) p 46
- The Statutes at Large, John Camden Hotten (1874) vol 1 pp 139, 149, 154, 179.
- Virginia Journals of the Houses of Burgesses, ed H. R. McIlwaine (1915) xii
- Lower Norfolk County Records: Book A. B. & C. (searched page by page)
- Patent Book 1 pp 311, 312 & Nugent 34
- Patent Book 1 Pt 1 p 410 & Nugent 54
- Patent Book 1 Pt 1 p 411 & Nugent 54
- Cavelliers & Pioneers, Nell Marion Nugent (1934) p 119
- Books A82; B8; C8 158; D8 25a + 1 Lower Norfolk County Virginia Records
- Merchant Taylor's School Register, London, England; ed Mrs. E. P. Hart (1936)
- Book Bf 141e + Lower Norfolk County Virginia Records
- Caribbeana, vol 5 p 205
- Book Of 162, Lower Norfolk County Virginia Records.



1653 - Mary Bennett transported to Lower Norfolk County by Thomas Willoughby Jr. (Capt. Willoughby has been out of the Colony almost 4 years) C 44

Sep 1654 - Mary Bennett to dispose of herself within the Colony until she is brought to bad and for one month after, and then to return to Capt. Willoughby's service. C 96a, 97

15 Nov 1654 - Mary Bennett's action against Thomas Willoughby Jr. referred to the next Court. C 105

15 Dec 1654 - Capt. Thomas Willoughby gives Mary Bennett one halfpenny of two years old for the use of the child she now hath. C 110

15 Dec 1654 - Thomas Willoughby Jr. is presented for committing fornication with Mary Bennett, singlewoman, his father's servant. C 113a

15 Dec 1654 - by joint consent between Capt. Thomas Willoughby and Mary Bennett, she is to have her freedom upon paying 300 lb tab & cake in Mar 1654/5 and another 300 lb tab & cake 10 Jan 1655/6 C 117a

17 Dec 1655 - Thomas Willoughby Jr. is fined 300 lb tab for fornication C 186

will of John Herbert I C 185a

wd 15 Jan 1669 wp 16 Apr 1675 - "my sonne Jno: Herbert "my clear ground and housing, as much as will be his equal proportion amongst ye rest of my wife's sonnes"
 "to ye rest of my wife's sonnes all the remeyning part of my land equally to be divided amongst them and to be delivered at the age of 21 years"
 "If that child my wife now goes with bee a boy then his share to equall all the rest"
 "If any of the aforesaid children shall dye before they attayn to the age aforesaid or without heirs, his or their part to returne to those that shall survive"
 1/3 of personal & real estate to well beloved wife, Mary Herbert during her natural life or marriage.
 the other 2/3s to be divided between "all of my wife's children that is now living, and in case any of them die in their minority then his or theirs part to return to the rest of the said children!"

will of John Herbert II 40850a

1679 wp May 1679 - leaves his land to "sonne John and if the child in esse be a boy then he is to have the other half" (the child in esse was Thomas) He empowers his brother (1/2 bro.) Thomas Willoughby to see that his children are not wronged. (There can be little doubt that Thomas Herbert was named for Thomas Willoughby)

20 Jun 1682 recorded 15 Aug 1691 - Division of the Land of John Herbert I John Herbert II is dec'd and his children are living with Henry Dale. The Division of the Land is made according to the will of John I.
 1/3 to the orphans of John Herbert, son & heirs of John Herbert Sr. both deceased, now living with Henry Dale.
 1/3 to Richard Herbert (the child in esse in 1669)
 1/3 to Thomas Willoughby
 (The above proves that John Herbert II, Richard Herbert and Thomas Willoughby are the sons of Mary Herbert, relict of John Herbert. 508160

Mar 1691/2 wp 15 Jan 1693/4 Nun. will of Richard Herbert who "did give all of his estate to his brother (& bro.) Thomas Willoughby" 508231

14 Nov 1698 - John Herbert's (III) (heir of his grandfather & father John Herbert dec'd) deed to Thomas Willoughby Sr according to the will of his grandfather dated 15 Jan (mutilated). John is selling land according to the true intent and meaning" (of the grandfather's will no doubt) 608143

19 Nov 1698 - Thomas Willoughby's deed to Cozen (& nephew) John Herbert Selling land that was supposed to be given (mutilated) dated 15 Jan 1669 (this date is date of John Herbert I's will) 608144

(The above two deeds, although badly mutilated, show that there was some default in the division of the land and John and Thomas are re-establishing their property lines. The deeds are also further proof that Thomas Willoughby is the son of Mary Herbert, relict of John Herbert I.)

OB = Obed Book
 (D) = Book D Lower Norfolk County Virginia
 (E) = Book E " " "
 (I) = Book Eye " " "
 (N) = Lower Norfolk Co. Antiquary, E.W. James (1895-)
 (Nu) = Cavelliers & Pioneers, Nugent 1934
 (T) = Torrance
 TS-SP = Tombstones in St. Paul's Churchyard
 (V) = Vo. Colonial Abstracts, vols. 19 & 20 ed. Beverly Fleet
 W' = Unrecorded Will; W2 = Marriage of Norfolk Co. by Eliza. B. wings
 WB = Will Book

(1977)

RESEARCHED AND COMPILED BY ALICE GRANBERY WALTER 116 B PINWOOD ROAD, VIRGINIA BEACH, VA. 23451

RICHARD YATE

b d
RICHARD YATE, MERCHANT was in Barbadoes 13 Aug 1656, brother of THOMAS YATE. (Monumental Inscriptions in the Churches and Church Yards of the Island of Barbados. Vere Langford Oliver (1915) Vol 2 p515)

(SEE VISITATIONS OF WARWICK HARLEIAN SOCIETY PUBLICATIONS VOLUME 12 PAGE 363)

(See Monumental Inscriptions in the Churches and Church Yards of the Island of Barbados by Vere Langford Oliver (1915) Vol II p 515)

(There are many Yates in Grays Inn Admission Register.

THOMAS YATE

b d
=

JOHN YATE

b prob. ca. 1580-1600
d
He could have been the JOHN YATES 48 (b 1587) transported to Bormoodes or Somers Islands in the "True-Love" de London, Robert Dennis, Master. also ROGER WILLMS(ON?) 16 (b 1619) (Hotten 87) (Roger William-son was an early settler in Lower Norfolk County.

Is he the same?
JOHN YATES SHIPWRIGHT

b ca 1599 (Hotten 111) In Lo.Norf. Co.
b ca 1595 (Book B ff 30, 32a)
Shipcarpenter in the "FOX" in 1646.
d bef 15 Aug 1648 (B 82a Lnc)
Inventory taken 13 Nov 1648 by THO: SAYER, RICH: SMITH, JAMES WARNER, & JOHN FINCH was Exhibited in Court by JOANE YATES. Total value of Inventory 19,751 lb tob (B f 94 p 101)

Did he = bef 1620 and have issue

b d
He did = bef 1636 ? *

JOANNE/JONE/JOHANNA

b ca 1612 if she was JOAN GATER transported to Virginia in the "Assurance" 24 Jul 1635 with JO: GATER (b 1599 & Jo: GATER (b1615)
b ca 1617 If she was JOAN JOBE transported to Virginia in the "America" with JOHN YATES (b 1615) et als.

b ca 1615 if she was JOANE WILKINSON transported with THOMAS HEARNE (HORNE?) & JOHN WILKINSON to the N Side of of Charles River in 1639 by George Minifye, Esqr & one of the Council of State.
(Hotten 111,112,96, 1 PB 704)

22 May 1637 - JOANE JOBE was a head right in patent to THOMAS DAVIS in Upper New Norfolk Co. upon S side of the Eastern Branch of Elizabeth River. (1 PB 424)

(NOTE: your editor doubts that she was JOANE WILKINSON as there were early Wilkinsons in the Charles River County area. See the GATER references in Norfolk County. The name could easily have been YATES and not GATER? JOAN GATER & JOANE JOBE could have been the same person for the early settlers were never sure of their ages. (ACW)

29 May 1638 - WILLIAM DURFORD Patent - 200 acres Low. Co of New Norfolk Being a ridge of land lying half a mile up a Creek against a place called BATREWHOLE some 6 miles up the SOUTHERN BRANCH OF THE ELIZABETH RIVER. (1 PBp2p536) &

In her will 1664:- "to daughter FRANCES son GEORGE VALLENTINE land adjoining my grand-father's land in the MERKE called BAY TREE HOLE."
wd 22 Oct 1664 wp 15 8ber(Nov) 1666 Exors: "sonne RICHARD YATES and daughter FRANCES BALLENTINE."
(E f 11 p 20)

2 FILIUS MARRIED AND HAD ISSUE

THOMAS YATE "NEPHEW OF RICHARD

b 1581 d

JOHN GATER (YATES?)

b 1620 (Hotten 111,112)
d
= bef 1649

MARY (called GATER)

d d
24 Jul 1635 - In the "Assurance" to be transported to Virginia from Gravesend: JO: GATER 36 yrs, JOAN GATER 23 years & JO: GATER 15 yrs et als. (Hotten 111,112)

NOTE: SEE REFERENCE TO HIM BELOW

RICHARD YATES

b
wd 22 Nov 1678 wp 21 May 1679 (4 f 50 Lnc)

JANE/JOANE

b d
27 Jun 1663 - RICHARD YATES and his wife are fined for being at a meeting of the QUAKERS 7 again May 1663, Nov 1663 and Feb 1663/4 (4N 78, 79, 110)

24 Nov 1636 - he is a headright in his father's (John) patent. (Nu 51 & 1 PB 399)

11 Mar 1664/5 - Patent 350 acres in DEEP CREEK in the S. Branch of Elizabeth River heg: by the Creek side running for length N by E & c butting on land of JNO: WILKERSON. Due for trans: of 7 persons: SALL: ROBERTS, JOANE ROBT:; MARTHA HOLMES, HUDDY CHASE, ROBT: LUSBY, WM: NICHOLSON & JNO: TAYLOR (5 PB 264)

17 Dec 1649 - RICHARD YATES selling THOMAS HORNE one parcell of land between 2 branches begin: at ye River side and so upp by a branch on ye N side of ye land that runneth SE by a branch on ye S side of ye land that runneth E bounded in on ye E side of ye land fromBranch to branch with mkt trees being in the S Branch of Eliz. River and being the land THOMAS HORNE is seated upon. (CP30 Lnc)

15 Apr 1653 - JOANE YATES, widow demands her thirds of her deed husbands estate...&...The differencebetween JOANE YATES widd:Pltff and RICHARD YATES Deft by the motion of the deft: is referred to the next Court. (C f 41 Lnc) (WAS HE THE SON BY A FIRST MARRIAGE AND NOT JOANNA'S SON?)

13 Mar 1667/8 - RICHARD YATES Patent 430 acres in S branch of Eliz. River being a parcel of land lying between the lands of FRANCIS SAWYER (SAYER) and his own land... butting the land of FRANCIS SAWYER to a mkd tree on the br side and so up the br side SW 75 po to a mkd pine butting on his owne land and soe SE 320 po joyneing his own land to the first station. Land dueYATES: 300 acres part thereof formerly granted CAPT. THOMAS WILLOUGHBY by patent dated 28 Feb 1636 and by sd WILLOUGHBY assigned unto JOHN YATES & dueRICH: as heire of afsd JNO: & 150 acres the residue for trans: of 3 persons Rights out of a Relinquisher pattent bearing date 4 Mar 1636 granted to RICHARD YEATES the Elder. (Who was He? A brother of JOHN?) (6 PB 112)

(NOTE: The 1636 patents to THOMAS WILLOUGHBY are on the N side of the Eastern Branch of Eliz. River)

FRANCES YATES

RICHARD YATES

b
decd in father's will 1678
Living in gr-mother's 1664

JANE (JONE) YATES

b bef 1658 if mar in 1674
d
= bef 1674
to have 2 children in 1678

JOHN WHIDDON

b bef 1646
Inventory 1710/11 Nco
Her gr-m. left her "the house & orchard 1 nowe live in" in BAYTREE HOLE adj land left to GEORGE BALLENTINE son of FRANCES BALLENTINE (dau of JOANNE YATES.)

ELIZABETH YATES

b d bef 1690

MARMADUKE ETHERIDGE

b ca 1647/8 d
(Boddie HSF 14p32)
he =(2) ca 1690
BARBARA FENFORD dau of THOS: & SARAH
b d

MARY YATES

b d
= bef 1678

FRANCIS LEAK

b d
=(2) 1678-1722
MAUND

FAITH YATES "youngest"

b aft 1664 d bef 1727

RICHARD SMITH

b
wd 31 Mar 1727 wp 21 apr 1727 (Win')

JOHN MARKHAM

gr-son of of JOANE YATES
b bef 1660 (father d 1660)
d bef 1694 (D 270)
= bef 1693
MARGARET BALLENTINE the dau* of George & widow of John Markham (5 DB 219)
b d
=(2) bef 15 May 1694(5DB219)

EDWARD LLEWELLYN

(SEE HERBERT CHART)

GEORGE BALLENTINE*
ALIAS VALENTINE

father of Margaret wife of John Markham above.

SEE HERBERT CHART -

THOMAS BALLENTINE

b bef 1680 d
Exor with bro. Wm. of father's will.
= bef 1716(9pp547,548)
SARAH
b d
He sold 75 acres called BAY TREE HOLE to hisbro bro.WM: BALLENTINE 15 Nov 1716.

WILLIAM BALLENTINE

b bef 1680 d
= bef 1716 ISSUE
ELIZABETH
b d
(Bk 9 pp 547,548 Nc)
They sold 16 Nov 1716 75 acs called BAY TREE HOLE NECK to JOHN WHIDDON (9 pp 547,548)

THE FOLLOWING PERTAINS TO JOHN YATES & JOHN GATER;

17 Feb 1634/5 - JOHN YATES 19 yrs (b 1615/6) To be transported to Barbadoes in the "Hopewell" Thomas Wood, Master. (Hotten 41)

4 May 1636 JOHN YATES - 300 acres in Eliz. City Co. Being a Neck of Land upon the W side of the SWd br of Eliz Riv bounded S Wly & N Wly upon the MAIN River & Wly into the Maine Woods. Trans: of 4 persons - MARY YATES (GATER?) Nicholas Seaburne, John Seaburne, Richard Wriehr. (1 PB 340)

THE FOLLOWING PERTAINS TO JOHN YATES & JOHN GATER;

17 Feb 1634/5 - JOHN YATES 19 yrs (b 1615/6) To be transported to Barbadoes in the "Hopewell" Thomas Wood, Master. (Hotten 41)

4 May 1636 JOHN YATES - 300 acres in Eliz. City Co. Being a Neck of Land upon the W side of the SWD br of Eliz Riv bounded S Wly & N Wly upon the MAIN River & Wly into the Maine Woods. Trans: of 4 persons - MARY YATES (GATER?) Nicholas Seaburne, John Seaburne, Richard Wright. (1 PB 340)

Same date, page and County - JOHN YATES - 150 acres being a NECK of Land upon the E side of Eliz Riv. Trans: of 3 persons - William Wheeler, Tho: Leager, Grace West. (1 PB 340)

21 Sep 1636 - JOHN GATER - 300 acres Elizabeth City Co being a neck of Land on the E Br of Eliz Riv upon the N side, bounding Sly on sd river, Nly into the woods, Wly upon a Cr. & Ely, upon a Creek called "DUN OUT OF THE MOIER". 50 acres for his own personal adventure & 250 acres for transportation of his wife JOANE GATER & 4 persons - Tho. Hale, Christo: Burston (he later married into this family), Edward Bosaker, Thomas Rouse, Renewed. (1 PB 389)

SAME: same date & page - JOHN GATER - 300 acres Sly upon the river being a Neck of Land in Eliz Riv Nly into the woods, Ely & Wly upon a Creek. Trans: of 6 persons - William Presbury, Richard Tysley, Thomas Merrideth, Francis Merrideth, Thomas Meades, Robert XXXXXX. Renewed. SAME: date & page 200 acres being a Neck of Land upon E side of Eliz Riv. Due for trans of 4 persons: Henry Geiles, other names not given. (1 PB 389)

24 Nov 1636 - JOHN YATES - 150 acres being a Neck of Land upon the E side of Eliz Riv, the Southern Branch thereof, bounded SW to the Woods towards the Maine River & N Wly into the Woods. Trans: of himselfe, wife JOANE YATES & RICHARD YATES. (1 PB 399)

6 Jun 1637 - JOHN YATES - 250 acres Low Co of New Norfolk upon the E Br. of Eliz Riv E Nly down the River W Sly into the Woods, S Ely distant about 7 miles from the Mouth of the Creek. Trans: of 5 persons - The only name shown is Vincent Coronell. (Note: Renewed in the name of JOHN GODFREY & 50 acres added 22 Jul 1645 - renewal to John Godfrey, on the S side of the Ewd Br of Eliz Riv adj land of Richard White & Henry Nicholas. (2 PB 29)

29 May 1638 - THOMAS LAMBETHS 200 acres being a ridge of land lying up a Creek called DUM OUT OF THE MIRE coming between land of CAPT: THOMAS WILLOUGHBY & JOHN GATER. (1 PB 536)

26 Jul 1638 - JOHN GATER - 800 acres Low Co of New Norf. in the E br of Eliz Riv E upon a Creek called DUM OUT OF THE MIRE, Ely & Sly beyond OYSTER SHELL POINT. Due for trans: of 16 persons - Same headrights as above plus Wm: Goldsmith, Wm: Rice, Edward Windett, Wm: Johnson. This is a renewal of the above patents. (1 PB 578)

10 Mar 1638/9 - JOHN YATES - 100 acres in Low New Norf Co on the S Branch of Eliz Riv up a Creek on the E side of the River &c. 50 acres due for the personal adv of his son RICHARD YATES & 50 acres for trans: of 1 servant, John Merriday. (Renewed 20 Feb 1645 & 150 acres added. (1 PB 636) SAME: 100 acres - same date and page and County. Due for HIS OWNE and the personal adventure of his wife JOANNE YATES. (1 PB 636)

16 Jan 1653/4 - JOHN GATER - a very long involved entry. JOHN GODFREY of Eliz River in Co of Lower Norfolk, Boatwright, sells to Thos: Dadford of Eliz. Riv, Planter, 800 acres that Sir John Harvey Gov &c granted by patent dated 26 Jul 1638 to JOHN GATHER. The Land being in the Low Co of New Norf in the E br of Eliz Riv, Sly upp ye Easterne Br., Ely upon a creek called DUM OUT OF THE MIRE, Nly & Wly into ye woods extending Ely & Sly beyond a point called Oystershell Point. That the Original Patent was recorded in NANSEMOND COUNTY 12 Jul 1649. That JOHN GATER assigned the land to JOHN GODFREY 12 Jul 1649 with the consent of his wife MARY GATER.

THIS LAST ENTRY SEEMS TO PROVE THAT JOHN YATES & JOHN GATER - WAS JOHN GATER ABOVE A SON? WERE NOT THE SAME PERSON, D BEF 1648 D AFT 1649

6 Jun 1654 - Marmaduke Marrington - 250 acres Low Norf Co on GAYTHERS Creek a branch of the SWd Branch of Eliz Riv. Due by Purchase from JOHN YATES to whom it was granted 20 Feb 1643/4. (3 PB 264)

ca 9 Mar 1652/3 - MRS. JOANNA YATES - 300 acres Low Norf Co for Trans: of 6 persons. (3 PB 175)

9 Mar 1652/3 - JOHANNA YATES, Widow - 300 acres in Eliz Riv in Low Norf Co (this must be the same as above) (4 PB 518)

JOANE YATES will gives the following: "to my daughter FRANCES' sonne GEORGE VALLENTINE 150 acres of land joyning to my grand-daughters land in the NECKE called BAY TREE HOLE." (E f 20 LNC)

6 Dec 1652 - JOANE YATES, Widow - 200 acres Low Norf Co in Eliz Riv Parish beginning at the head of the W Neck (Wet or Ware Neck? or West Neck?) Branch which falls into the S Br of sd Riv &c. Trans: of 4 persons - Anne Wynn, Walter Causington, Jonathan Barthram & Mary Syarlock (3 PB 156)

Court of 15 Apr 1653 - Whereas: JOANE YATES widd appeared this day & demanded ye thirds of the land of the which her late husband dyed possessed of according to law. This Court taking it into consideration doth order accordingly that the sd JOANE YATES widd: shall have and enjoy her thirds of all the foresaid land of which her said husband died possessed and seized of together with the Chief Mancon (Mansion) House thereupon for & duringe ye terme of her natural life. And that the Sherive of this County make a deviation of the sd land as aforesd. And the said JOANE YATES to take her choice after Devision soe made. And the said Shreive to put her in possession thereof accordingly between this and the next Court. It is by this Court ordered that JOANE YATES widd: bringe into this Court a true inventory and to give a full account of all moveables & Estate whatsoever her late deceased husband dyed possessed of.....the next Court.

For the cause depending between JOANE YATES widd: Pltff: & RICHARD YATES deft: upon ye petition of the defendant it is referred untill the next Court. (THIS SOUNDS LIKE JOANE WAS PROBABLY NOT RICHARD'S MOTHER?) (C f 41a LNC)

of a Relinquisher patent bearing date 4 Mar 1636 granted to RICHARD YEATES the Elder. (Who was He? A brother of JOHN?) (6 PB 112)

(NOTE: The 1636 patents to THOMAS WILLOUGHBY are on the N side of the Eastern Branch of Eliz. River)

FRANCES YATES

b be 1641 if 16 when married
= ca Aug 1657 (D 90 LNC)

RICHARD MARKHAM

b bef 1639 if 18 when married
d in 1660 (D 270 Lnc)
His widow granted probate of his will 17 Dec 1660. (D 270)
she =(2) bef 16 Jun 1662 (D343)

GEORGE BALLENTINE

ALIAS VALENTINE
b ca or bef 1635 (C f 55 LNC)
wd 2 Sep 1700 wp 15 May 1702
(6 f 206 LNC)

"my wife, FRANCES' grand-dau MARGARET MARKHAM."

4 Feb 1652/3 -GEORGE VALLENTINE, Servant of CHRISTOPHER BURROWS, decd., having 3 more years to serve. (C f 55 LNC)

JOHANNA (HANNAH) YATES

not in Mother's 1664 will
b ca 1628-1630 if 16 when mar.
d decd in Mar 1652/3 (C30 LNC)
= by 1644-1646 to have 4 children in 1652/3

THOMAS HORNE, COOPER

b bef 1628 - of age in 1649 when he bought land from RICH: YATES. (C30 LNC)
d ca 1658
He =(2) aft 16 Mar 1652/3

JANE WID. OF PETER RIGGLES- WORTH

b d
she =(3) bef 16 Nov 1658 (D180)

THOMAS LOVELL
b d
(D 288,307,341,349,438a)
THOMAS LOVELL was a headright in patent to LEONARD YEO, Eliz. City Co. 9 Aug 1637. (Nu 62)

WILLIAM BALLENTINE
b bef 1680 d
= bef 1716 ISSUE
ELIZABETH

b d
(Bk 9 pp 547,548 Nc)
They sold 16 Nov 1716 75 acs called BAY TREE HOLE NECK to JOHN WHIDDON (9 pp 547,548)

JOHN BALLENTINE

b bef 1684 (12 p 13 Nc)
wd Feb wp Aug 1733/4
= ISSUE

b d

ALEXANDER BALLENTINE

of Southern Branch
b bef 1684 (9 p 389 Nc)
wd 15 Jan 1714/5
wp 20 May 1715
= ISSUE

MARGARET

b d

RICHARD BALLENTINE

b bef 1684 d
will 1734 Nc - Torrence

MARY BALLENTINE

b bef 1684 (Original Will)
wd 10 Jan 1734/5
wp 21 May 1736
= ISSUE

ROGER HODGES

b (9 p 541 Nc)
wd 18 Aug 1716 wp 16 Nov & 21 Dec 1716.

DOROTHY BALLENTINE

b bef 1684 d
= bef 1700 ISSUE
JOHN CREEKMOORE
b
wd 3 Jan 1708/9
wp 17 Aug 1711 (9 p 80)

DANIEL BALLENTINE

b bef 1684 d

DAVID BALLENTINE

b aft 1684 -und 16 in f's w
(6 f 206)
wd 11 Mar 1749/50
wp 16 Mar 1753(1 f 307 Nco)
= ISSUE 5
Issue not named in will

b d

FRANCES BALLENTINE

b betw 1664-1677
wd 10 Oct 1720
wp Dec 1720 (Win')
Exors: sons RICH: DEAL & JOHN WILLOBE.
1709 - conveys with husband (8 p 66)
= bef 1687 as his 2nd wife
HENRY DALE/DEALL/DEALE

b ca 1661-1664
wd 21 Oct 1716 (9 p 569)
wp 18 Jan 1716/17
Frances was the Mother of all his children.

(NOTE: Their son WM: was decd with a widow in 1715. & must have been at least 21 yrs, leaving a will, so b bef 1694, but leaving 6 children would certainly subtract at least 6 more years making his birth date bef 1688 and his parents marriage date bef 1687 AGW)
He=(1) betw 1679-1682 as her thrid husband

HANNAH (JOHANNA) HORNE

SEE HERBERT CHART

REFERENCE:	
ALL REFERENCE IN AMERICA IS TO LOWER NORFOLK OR NORFOLK COUNTY UNLESS OTHERWISE NOTED.	
AGW = Researcher, Compiler & Editor of these lines.	
LNC = Lower Norfolk County, Virginia	
N = Lower Norfolk Antiquary by E. W. James 1895-1906	
Nc = Norfolk County, Virginia	
Nu = Cavaliers & Pioneers by Nell Marion Nugent 1934.	
PB = Land Patent Books (Virginia State Library)	
PAC = Princess Anne County, Va.	
To = Va. Wills and Administrations by Clayton Torrence 1931	
V = Va. Magazine of Hist. & Biog.	
WB = will book DB = Deed Book	
Win' = Unrecorded wills of Norfolk Co. by Eliz. B. Wingo	
Hotten = List of Emigrants to America by John John Camden Hotten 1962	
The Court Records of Norfolk County are numbered - A thru J. Deed Book 4 is the number of the first numbered Deed Book.	



Herbert in Virginia

Chart # 1

ALL REFERENCE IN AMERICA IS TO LOWER NORFOLK OR NORFOLK COUNTY UNLESS OTHERWISE NOTED.

AGW = Researcher, Compiler & Editor of these lines.
LNC = Lower Norfolk County, Virginia
N = Lower Norfolk Antiquary by E. W. James 1895-1906
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The Court Records of Norfolk County are numbered - A thru J. Deed Book 4 is the number of the first number Deed Book.

RICHARD YATES

b wd 22 Nov 1678 wp 21 May 1679
= bef 1658

JANE

b d
They were Quakers in 1663 (4W78, 79, 110)
His land butted on land of John Wilkerson in 1664/5 in Deep Creek. (SPB 264)

FRANCES YATES

b by 1641 if 16 when mar.
wd 10 Oct 1720 (Win')
wp Dec 1720
See 8 p 66 NC - conveys with husband in 1709.
Exors: sons Rich: Deal & John Willobe
= ca Aug 1657 (D 90 LNC)

RICHARD MARKHAM

b bef 1639 if 18 when mar.
d in 1660 His widow granted probate of his will in 1660.
(D 270 LNC)
she = (2) bef 16 Jun 1662 (D343 LNC)

GEORGE BALLENTINE ALIAS

VALENTINE
b ca or bef 1635 (C555 LNC)
wd 2 Sep 1700 wp 15 May 1702 (6 f 206 LNC)
"my wife, Frances", gr-dau Margaret Markham."

JOANNA YATES

Not in her mother's will
b ca 1628-1630 if 16 when mar
d decd in Mar 1652/3
= by 1644-1646 to have 4 children in 1652/3

THOMAS HORGE COOPER

b bef 1628 - of age in 1649 when he bought land from Richard Yates. (C 30 LNC)
d ca 1658
He = (2) aft 16 Mar 1652/3
JANE widow of Peter Rigglesworth
b b d
she = (3) bef 16 Nov 1658 (D180)
THOMAS LOVELL (see D1288, 307, 341, b 349, 438)
d
Thomas Lovell was a head right in patent to Leonard Yeo, to Elizabeth City Co. 9 Aug 1637. (Nu62)

JOHN HERBERT ALIAS WILKINSON

b before 1628 (He signed a deed in Lower Norfolk Co., Virginia in 1649. - signed the name WILKINSON)
d before or ca 1675
wd 1669 - in which he said "and now bound out of this country" wp 1675 Lower Norfolk County, Virginia (E p 185a)

= between 10 Jan 1655/6 - 15 Nov 1656 (C 117a)

MARY BENNETT MAID SERVANT OF CAPT. THOS. WILLOUGHBY

b ca 1631 (Df 38) d between 1672 - 1682 (E 131 LNC)

In Jul 1672 JOHN HERBERT is apparently still out of the country for his wife, MARY, "humbly craves a hearing at the next Court, unexpected Providence" being her reason. (E f 125a & 248 LNC)
She is the mother of THOMAS WILLOUGHBY b betw. 15 Nov - 15 Dec 1654, illegitimate son of THOMAS WILLOUGHBY II. (C 96a, 97, 105, 110, 113a, 117a, 186)

By 1644 conditions in England had become difficult because of the Civil Wars. In a correspondence with Daniel Llewellyn of Charles City, William Hallon of England wrote: "If these times hold long amongst us we must all faine come to Virginia." The message sent by Hallon was prophetic, for by 1650, many well-to-do Englishmen, loyal to the Crown, fled to Virginia to escape the wrath of Cromwell's men. Some were so deeply involved politically that they assumed aliases. Captain Francis Dade was known in Virginia, until the restoration, as Major John Smith. Many who came to Virginia during Cromwell's period, 1649 - 1660, remained. (Domestic Life in the 17th Century, by Annie Lash Lester, Jamestown 350th Anniversary Booklet 17 p 34) The restoration of Charles II occurred in 1660.

JOHN HERBERT son of RICHARD and grandson of EDWARD 1st LORD HERBERT OF CHERRYBURY inherited b 80 in new gold from his grandfather in 1648. JOHN HERBERT alias WILKINSON was in Lower Norfolk County, Virginia in 1649 when he signed a deed (Vab 38) JOHN WILKINSON. After the restoration, in 1664 John HERBERT alias WILKINSON resumes his proper name of HERBERT. (5 PB 265)

In 1662 JOHN WILKINSON is fined for not having his children baptised. Court (4N33) Perhaps this is when he resumed his "true name of HERBERT?"

His two sons were named JOHN, after himself, and RICHARD, after his father in England. The division of his estate in 1682 proves that MARY BENNETT was the mother of THOMAS WILLOUGHBY, JOHN HERBERT II and RICHARD HERBERT and the wife of JOHN HERBERT I. (5 DB 160)

In a History of Monmouthshire published about 1910 there are PEDIGREEs OF HERBERTS said to be relied upon for their correctness. Photocopies of any pedigree pertaining to the EARLS of PEMBROKE's descendance and the MONTGOMERY and CHERRYBURY LINES may prove valuable in this research.

RICHARD YATES

d 11v. in 1664 gr-m's will
decd in father's will 1678

JANE YATES

b bef 1658 if mar in 1674
d SEE MARKHAM HERBERT
= bef 1674 - had 2 children in 1678

JOHN WHIDDON

b bef 1646 d Inventory 1710/11 Nco

ELIZABETH YATES

b d bef 1690

MARMADUKE FOTHERIDGE

b ca 1647-8 (BoHSF 14p12)

d he = (2) ca 1690

BARBARA FENFORD dau of Thomas

b d

MARY YATES

b d

FRANCIS LEAK

b d

= (2) 1678-1722

MAUND

FAITH YATES "the youngest"

b aft 1664 not in Gr-m's will

d bef 1727

= bef 1727

RICHARD SMITH

b d (Win')

wd 31 Mar 1727 wp 21 Apr 1727

GEORGE BALLENTINE

b ca of bef 1664 (8k 12p1 LNC)

wd 14 Nov 1733 wp 18 Jan 1733/4

= 5 children

WIFE not in his will

b d

he = (2) (5p225 NC)

MRS. MARKHAM, widow of John

b d

FRANCES BALLENTINE

b betw 1664-1677 (Win')

wd 14 Nov 1733 wp 18 Jan 1733/4

= bef 1687 as his 2nd wife

(Father's will)

HENRY DALE/DEALL/DEALE

b ca 1661-1666 (9 p 569)

wd 21 Oct 1716 wp 18 Jan 1716/7

He = (1) betw 1679-1682 - No Issue.

as her 3rd husband

HANNAH (JOHANNA) HORNE

widow of Llewellyn & Herbert

Orphan of Thomas Horne in 1662

b bef 1645 (4 DB 22,52, D 343a)

d by 1682 (not named in division

of John Herbert's land in 1682

= (1) bef 1661 (E f 197,291 NC)

ABEL FFEWELLEN alias LLEWELLYN

b bef 1641 (E pp 44,92,120,121,147)

d probably ca 1672 (E 120 LNC)

Hannah his Power of Atty in 1672

15 Apr 1663 - Joane Yates granted

a Certificate for 100 acres for

trans: of Abell ffeuwellyn & John

Sparkes. (Df 360a LNC) (Wm gr-mother)

she = (2) betw 1672-1677 (4DB22a)

JOHN HERBERT II

b betw 1656-1668 (see 6DB40LNC)

wd no date wp 21 May 1679 by

Francis Lake & Henry Dale.

(4DB50a)

Inventory 1679 (4DB55)

Underage in 1670

He named his son John & a child

in esse. His brother (1/2 bro)

Thomas Willoughby to see that

his children are not wronged.

NOTE: JOHN seems to be about

11 years older than RICHARD

who was born in 1670, and about

12 years younger than his wife.

(AGW)

"Ye child my wife now goes with"

RICHARD HERBERT

Named for his gr-father?

Richard 2nd Lord Herbert of

Cherrybury

b betw Jan & Jul 1670 (5WB23,231)

Nm wd 2 Mar 1691/2

wp 15 Jan 1693/4 (5DB231)

d.s.p. unmarried

His name is proved by the division

of his father's estate in 1682.

He was not born posthumously

as McIntosh says in the Researcher,

for his father's will was written

in 1669 within less than 9 months

of his birth and not proved until

1675.

NOTE: Were there other children between John and Richard? Or, was the father a seafaring man and gone for years at a time just as Capt. Thomas Willoughby was?

THOMAS WILLOUGHBY see Willoughby

CHARTS

b betw 15 Nov-15 Dec 1654 (C96a, 97, 110)

wd & d wp 16 Mar 1710/11

= ca 1674 or after - 3 sons & 6 daus

WIFE not named in will

b d

"I make John Harbutt and Faithfull

Cherry overseers over my son John

to see that he does not basell away

the estate till he comes of age to

govern it himself...." (Note: Is

seems that Faithfull Cherry may have

married a dau of Thomas Willoughby,

just as John Herbert III did, making

his two sons-in-law overseers?)

RESEARCHED AND COMPILED BY

by

Alice Granbery Walter

JOHN MARKHAM grandson of Joane Yates

b bef 1660 (father d in 1660 D270)

d bef 1694

= bef 1693 (5 f 225)

MARGARET BALLENTINE

"widow of John Markham dau of George" (5DB219)

b

she = (2) bef 15 May 1694 (5 DB 219)

EDWARD LLEWELLYN

b betw 1659-1661 (5P225)

Underage in (18 yrs) in 1677 (4DB22a)

d (H260)

RICHARD LLEWELLYN

b betw 1659-1661 (4DB22a, 5DB225, H260)

w 20 Oct 1722 wp 18 May 1723 (H 260)

under 18 years in 1677 (4DB22a)

=

ELIZABETH

b d

MARY LLEWELLYN

b after 1661 under 16 in 1677

d (4DB22a)

MARGARET OALE unmarried in 1720

in Mother's will.

See Margaret wife of Thomas Herbert

JOHN DALE

DINAH DALE

ADAM DALE

DAVID DALE

RICHARD DALE

FRANCES DALE

THOMAS DALE

ELIZABETH DEALL

b d

= betw 1716-1720 - SEE WILLOUGHBY CHARTS

JOHN WILLOUBE see below

JOHN HERBERT III of PRINCESS ANNE COUNTY

b ca 1677/78 under age in father's 1679 will

wd 24 Apr 1728 wp 7 Aug 1728 (4DB201 Paco)

= (1) ca 1702

? ELIZABETH MAYO, single woman petitioner...

says that John Herbert is father of her child.

(1M350 PAC) (NOTE: Women chased men in those

days too! But, it doesn't necessarily make it

so. Maybe John did marry her, his will certainly

shows as if his eldest son, RICHARD was

the son of a first wife. (AGW)

He did = (2) bef Mar 1705/6 (7DB116 NC)

ELIZABETH WILLOUGHBY

b prob 1693 or bef. (his 1/2 first cousin)

Inventory 1728 (4DB207 PAC)

She was exex of his will. (4DB201 PAC)

See also 1721 (09 170,171 NC)

ANN WILLOUGHBY

b too young to take the oath in 1716

b Mar 1702 - is represented in Court by her

"UNCLE JOHN HERBERT" (5DB16a, 170 PAC)

She chooses her "BROTHER, JOHN HERBERT"

for her guardian. (NOTE: Ann, Elizabeth and

John were 1/2 first cousins and she was also

his sister-in-law)

JOHN WILLOUGHBY OF BLACKWATER PACO.

b betw 1690-1695 under age in 1711

wd 20 Mar 1739/40 wp 4 Jun 1740

(w 5DB479 PAC) (see 9DB89, 10DB48 NC)

= by 1716 (Dale wills)

ELIZABETH DEALL dau of HENRY & FRANCES

b by 1700 or by 1704 d

John & Elizabeth sold their land in the

Southern and Western Branches about 1722.

(E 74a, 75, 75a, 77a, 78a & 79 NC)

Their son John was living in Perquimans Co.

N. C. in 1733. (see Jones Curritt Will

p 31) In 1753 he sold 50 acres in Paco in

Blackwater to John Fentress.

CAPT. THOMAS HERBERT I, MARINER

b 1679 Posthumous of the Southern Branch

1730 - Titheable of Norfolk County

w 17 Jun 1749 wp 19 Oct 1749 (H260 NC)

Original will with a Coat of Arms Seal which

are the ROYAL ARMS OF THE HOUSE OF HANOVER

which were used as the seal of Virginia in

the reign of George II (1727-1760). It was

so unusual



RICHARD HERBERT son of Elizabeth Mayo
b bef 1715 probably 1702
d
= bef 1733 (12 p 79 Nco)
ANN BATCHELER dau of JOSEPH (12 p 79 Nco)
b
d
Did she marry (2) WILLIAM SIMMONS who
oamed her daughter, BETTY HERBERT, in his
1739 will. (5 DB 450 Pac)?
1730 - Tithable in Southern Branch.

JAMES HERBERT
b bef 1733/4

Herbert in Virginia Chart #2 a

RESEARCHED AND COMPILED BY

Alice Granbery Walter

116 B Pinewood Road, Virginia Beach, Virginia 23451

2nd in will by (2)

WILLOUGHBY HERBERT

b aft 1718 (4 MB 243 Pac)
d 1739/40 (5 DB 448 Pac)
Underage in 1728 (5 DB 448 Pac)
1739/40 - on Motion of WILLOUGHBY HERBERT
it is ordered that his brother, JOHN HERBERT,
be admitted his guardian during residue of his
monority. (5DB448)
1774 - Willoughby Herbert made his mark as witness
to a deed - land in St. Brides Parish. (25 DB237)

3rd in will

PETER HERBERT

b underage in 1728
wd 24 Apr 1766 No probate (9 DB 613 Pac)&(To)

MARY WICKENS (WILKINS) daughter of JOHN (1 VA 145)
b bef 1752 (180B125 Pac) d (10 DB 194 Pac)
16 Nov 1765 - WILLIAM WILKINS & MARY HERBERT exors of
PETER HERBERT decd (1 VA 39)
(NOTE: dates of will and date of exors?)
1800 - A PETER HERBERT was a trustee of Town of Portsmouth
7 Jun 1752 - PETER HERBERT bought 88 acres at the head of
Julians Creed from WILLIAM WORMINGTON. (15 DB 125 Nco)
(There are many other Deeds re Peter)
Jun 1786 - MARY HERBERT & JOHN WICKENS & MARY HERBERT
grand daughter 15 or 16 years ago. (1 VA 145)
In 1730 - JOHN WILKINS was a Tithable from Suggs Mill to
Great Bridge.

4th in will

THOMAS HERBERT OF NORTH CAROLINA

b bef 1716 (1 Res 250)
d Inv. 28 Mar 1735 Rec 7 May 1735 (5 DB 3 Pac)
= bef 1734 (4 MB 252 Pac)
ANN
b d 1763
(4 DB 34, 5DB 3,510, 9 DB 227 all Paco)

5th in will

JOHN HERBERT IV, SHIPWRIGHT

b aft 1708 & bef 1727 Living in 1740 (5 DB 440 Pac)
d Underage in 1728
His father left him "all the remainder of the tract whereon
I now live." See also JOHN MARKHAM HERBERT's Deeds to this
JOHN HERBERT.
1775/6 - JOHN HERBERT, a Master Shipbuilder, was employed
to engage Ships Carpenters & to examine places on James
River he thought proper for erecting Shipyards. (Some
Notes on Shipbuilding - by Cerinda Evans. A Jamestown
350th Anniversary Historical Booklet #22.)
Oct 1776 - The "Mosquito" (a Brig) was dispatched from
Warwick County via Jamestown to Portsmouth, Va., to be
refitted by JOHN HERBERT. (VN 34)
1761 - He was a Vestryman of Portsmouth Parish (IN19)

= bef 1739

ELIZABETH WILLOUGHBY (her father's will 5 DB 479 Pac)
daughter of JOHN & ELIZABETH (DEALL) WILLOUGHBY SEE CHART I
b d

ELIZABETH HERBERT

b underage in 1728 d

=
BATCHELDER

b d
(JAMES BATCHELER had a son JOHN & a daughter ELIZABETH who
were the Grand-children of JOSEPH BATCHELER.. The only
other soo of JOSEPH, besides JAMES was STEPHEN. 1733/4
JOSEPH BACHELER's will is in Book 12 p 79 Nco)

MARY HERBERT

b underage in 1728 d

=
WILLIAM SUGG

b will 1704 - 1708 (8 DB 23 Nco)
There is a 1764 will of JOSEPH SUGG (To)
1764 - THOMAS SUGG of Pasquetank Co., N. C. involved in
a suit with JOHN FENTRIS against ELIZABETH FENTRIS (1 VA 32)

DINAH HERBERT

b underage in 1728 d

MARGARET HERBERT

b underage in 1728 d

VIOLET HERBERT

b underage in 1728

WILLOUGHBY HERBERT

WILLIAM HERBERT

BETTY HERBERT

MARY HERBERT
b bef 1766 d
(1 VA 39, 145)

THOMAS HERBERT OF NORTH CAROLINA

b d
1763 - ANN HERBERT relict of THOMAS
decd came into Court and made oath
that said THOMAS HERBERT departed this
life without making any will.....
she was granted administration on his
estate. (9 DB 227 Pac)

25 Jul 1763 - THOMAS HERBERT of N. C.
to PETER HERBERT, land near Blackwater
in Princess Anne County, Va. (90B227Pac)

=
ANN

JOHN HERBERT V OF PORTSMOUTH PARISH

b bef 1744?
wd 10 Nov 1803 wp 17 Jan 1808(4WB105-107Nc)
= bef 1762? all in 1803 will

ELIZABETH

b d
He bought land from MARKHAM HERBERT and left
it to ABIGAIL.

(NOTE: John Herbert's will names his dau
Elizabeth Nash. Thomas Nash's Family Bible
gives "Elizabeth(Herbert)Nash dau of John
and Elizabeth Herbert." AGW)

ANN HERBERT (see 8 DB 23 Nco) dau of JOHN IV

b d
=(1) 22 Sep 1772 (Win²)
JOHN WHIDDON JR, son of JOHN

=(2) 4 Jul 1778 (Win²) Sur: RICHARD HERBERT
THOMAS HERBERT soo of MARKHAM (see his line)
b bef 1740 d

SEE REFERENCES ON CHART 3

WILLIAM BERTIE HERBERT
b
d

= 22 Jan 1790 (Win²)

SUCKY SATCHWELL
dau. of EMANUEL (34DB67-69)
b
d

1793 - WM: BERTIE HERBERT &
wife SUSANNAH selling land,
99 acres at Deep Creek formerly
belonged to EMANUEL SATCHWELL.
SUSANNAH HERBERT his only heir.
wic: THOMAS NASH JR., ARTHUR
HERBERT, ABSALOM GRANT & CALEB
NASH. (34 DB 67-69 Nco)

NATHANIEL HERBERT

b d

ANN HERBERT

b d

= bef 1803

FEREBEE

b d

ELIZABETH HERBERT

b 25 Nov 1762 (TN-FB)d 1818
= 15 October 1782 (Win²) SEE NASH
CHART
THOMAS NASH
b 19 Sep 1758 St. Brides Par.
d Sep 1824 in Norfolk Co.
(DAR 445) Thomas Nash FB
He was the only casualty in
the Battle of Great Bridge,
9 Dec 1775 being shot in his
hand. The Loyalists suffered
many losses.

ARTHUR HERBERT

b decd in 1803

1785 - Ensign in Norfolk Co.

Militia
1794 - HENRY DIXON to ARTHUR
HERBERT two lots in Portsmouth
(Gosport) #144,145 (35DB48)
= bef 1803 HAD ISSUE

LYDIA

(dau-in-law in John V's will)

b d

FANNY HERBERT

b d

= 27 Dec 1790 (Win²)

Sec: Arthur Herbert

JAMES BUTT

b d

ABIGAIL HERBERT

b d
= 17 Dec 1795 (9W²34)ISSUE - 6
WILLIAM NASH (HNL)
b 1770 d Jul 1884

Their dau POLLY NASH
= bef 1803 JAMES TATEM
1798 - JOHN SHIELD & THOMAS
NASH of Nco to WM: NASHSR. of
Nco - 78 acres situate on the
Southern Branch, being the same
(1/2 the land Wm: Smiths 30 DB
90 formerly JOHN MARKHAM HER-
BERT's land 166 acres formerly
purchased by THOS: HERBERT &
WM: SMITH of LODOWICK BRODIE,
JOHN HERBERT SR & JOHN SHEILO
sold land to WM: NASH at Public
auction. Tract usually known
as "MALCOLMS POINT" bounded by
corner of JOHN TATEM's, the
road, through the middle of a
cove...shore of the Southern
Branch.... end of the Point.
(37 DB183-184)

JOHN HERBERT VI

b d 1784

(Appr. Book II p 12 Nco)

decd in father's 1803 will

= had ISSUE - JOHN VII

b d

RICHARD HERBERT

b decd in 1803

= had issue - RICHARD

in gr f's will

b d

ALL REFERENCE IN AMERICA IS
TO LOWER NORFOLK OR NORFOLK
COUNTY UNLESS OTHERWISE NOTED.

"ELDEST SON"

MARKCOM (MARKHAM) HERBERT, CAPT., SHIPWRIGHT

b ca or bef 1712 On Tithable List in 1730 Norfolk Co., over 16 years old. (Va. Gen. 7 p6)
wd 1 Mar 1761 wp May Court 1761 (1 WB 62)
Exex: wife Mary wit: THOMAS HERBERT, JOHN COCK & WILLIAM BAYLEY.

"My land in Deep Creek to be sold"

1748 - JOHN WHIDDON left to his daughter, MARY, wife of MARKHAM HERBERT the dividend of land with the Plantation thereon that I bought & purchased of WILLIAM BALLENTINE lying on the South side of BAY TREE HDLE. (Book I p 192)

1748 - He was a Justice of the Peace in Norfolk Co. (JS 281)

1749 - He inherited from his father: "land & old Plantation which formerly belonged to my uncle RICHARD near DEEP CREEK containing about 170 acres. 1/2 to son MARKHAM and 1/2 to son WILLIAM." (N p 260)

28 Sep 1752 - de qualified as CAPTAIN MARKCOM HERBERT of the Norfolk County Militia. (WS 34)

21 May 1761 - Estate of MARKHAM HERBERT decd. ordered to be audited. (Nco. DB 1760 p 94)

15 Jul 1762 - MARY HERBERT exex. of MARKHAM (DB 1760 p 194)

= bef 1740 (1 eye) p 192 Nco)

MARY WHIDDON DAU OF JOHN BY HIS 1ST WIFE

b bef 1725 (to be married in 1740 d

She inherited BAY TREE NOLE from her father - 1762 MARY widow of MARKHAM HERBERT sells 85 acres in Portsmouth, Va. to WILLIAM HERBERT a Moieity of 170 acres formerly sold to CAPT. THOMAS HERBERT by WILLOUGHBY NERBERT. (20 DB 110b Nco)

THOMAS HERBERT II, SHIPWRIGHT

b 29 Sep 1712 d 9 Feb 1774 (Emerson)

wd 10 Feb 1774 wp Mar 1774 (2 WB 32 Nco)

(Note date of death and date of will?)

He inherited part of land near HENRY HERBERT's called

DIGBYES which his father bought of RICH. BALLENTINE.

1730 - on tithable list in Norfolk Co.

= 2 May 1734 in Norfolk - SEE SCOTT/THOS. HERBERT CHART

ELIZABETH SCOTT DAU OF THOMAS (Emmerson)

b 17 Jun 1716 d 21 Apr 1763 (Emmerson)

(Emmerson quoted the Herbert Family Bible)

REFERENCE:

Va. Gen. = Virginia Genealogist (Magazine) by John

Frederick Dorman

I (eye) = Book I - Norfolk County Records

W & W2 = Wm. & Mary Quarterly Series 1 & 2

WS = History of Norfolk Co. by William Stewart 1905

CR = Va. Heraldica by Wm. A. Crozier 1908

Marshall Butt - We did a great deal of research on

the Butt Family of which I have a copy.

EMMERSON = He did a lot of research on the Emerson and Herbert families, mostly on the lines where he is given as a reference. He published a small quantity of his research. Arthur Emmerson of Portsmouth.

N = Lower Norfolk Co., Antiquary by E. E. James 1895-06

Win2 = Norfolk Co. Marriages by Elizabeth B. Wingo 1961

Win3 = Marriages of Princess Anne Co. by " " 1962

Win5 = Nco Revolutionary War & War of 1812 Applications

for Pensions by Ellz. B. Wingo

Chapman = Marriages of Isle of Wight Co., Va.

Wills & Adms of Isle of Wight Co.

both by Blanche Adams Chapman

VN = History of Virginia's Navy of the Revolution

by Robert A. Stewart. 1933

VS = Virginia Soldiers of 1776 by Louis A. Burgess 1929

IOW = Isle of Wight County, Va.

All reference is to Norfolk County, Va., unless

otherwise noted. Nc = Norfolk County

PAC = Princess Anne County, Va.

DB = Deed Book DB = Order Book WB = Will Book

MB = Minute Book (all County Court Record Books)

JOHN MARKHAM HERBERT, SHIPWRIGHT

b ca 1740 (he was married in 1763)

d

He is in his grandmother's 1749 will and in his father's 1761 will. (1 WB 62)

Inherited from his father "my home plantation."

= bef 1763 wife's name (22DB 29,30a,27 DB20,21,106)

SARAH SUMERELL, DAU OF JOHN

b bef 1747 (if 16 in 1763 and married)

(see Isle of Wight Co., Va. DB 1764-68 p 224)

1 Feb 1763 - (Isle of Wight, Va. DB 11 pp 126-128)

JOHN MARKHAM HERBERT and his wife SARAH of Norfolk

Co. to CHARLES DRIVER of ISLE OF WIGHT, for 6 100

land where WM. JORSWORTHY now lives, the inheritance

of SARAH, wife of JOHN MARKHAM HERBERT.....

200 acres bounded by the antient bounds relation

thereunto being had (but no reference is given)

Wit: ANDREW MACKIE, THOS: APPLEWHITE, JOHN MALLORY

Recorded 1 Feb 1763. SARAH releases her rights in

Norfolk Court. Signed: JOHN MARKHAM HERBERT.

1776 - He raised a Company of Men and supported the

British at the BATTLE of GREAT BRIDGE.

(Virginian-Pilot, Norfolk, Va. 9 Dec 1956)

18 Jul 1764 - (21 DB 229a-231b)

JOHN MARKHAM HERBERT & SARAH his wife, & MARY HERBERT, widow, of Norfolk Co. to JOHN

HERBERT of same, Shipwright 104 1/2 acres in the PARISH of PORTSMOUTH on the West

side of the Southern Branch.....to the mouth of PARADISE CREEK.....

for £ 180. ----- and on:

18 Jul 1764 - Recorded 19 Jul 1764 Same as above - same to same.....a piece of

land at a point called THE OLD BUILDING PLACE.....tience adjoining the RIVER

and is part of the land JOHN MARKHAM HERBERT now lives on and was devised to him

by his father MARKHAM HERBERT by will.

18 Oct 1764 (22 DB 29a-30a)

JOHN HERBERT SELLS THE ABOVE 104 1/2 acres which he bought from JOHN MARKHAM,

SARAH & MARY HERBERT, widow, to SAMUEL BOSH.

JOHN SUMERELL (5 WB 28 Isle of Wight County)

wd 1745 wp 1746 He names two daughters: SARAH and JEAN.

In IOW Order Book 1764-68 on p 224 there is an inferred marriage: JANE SUMMERELL

daughter of JOHN married in 1765 JOHN MARKHAM HERBERT. Inasmuch as this marriage

would have been before 1765 and SARAH was still JOHN MARKHAM HERBERT's wife in

1763 and 1775 - the name JANE must be a mistake. (ACW)

18 Jan 1775 - Recorded 20 Aug 1775 (see 3D DB 90-92) & (27 DB 20-21)

JOHN MARKCOM HERBERT and SARAH NERBERT to JOHN TATEM SENR. for £ 179 land in

Portsmouth Parish, 102 acres, corner of JOHN HERBERT & JOHN MARKCOM NERBERT,

adjoining JOHN HERBERT to PARADISE CREEK.

THOMAS HERBERT HIS FATHER LEFT HIM BAY TREE HOLE

b bef 1740 d

He was left Plantation of E side of Southern Branch. If he died, land to go to

WHIDDON HERBERT. 1761 (1 WB 62 Nc)

= 4 Jul 1778 (Win2) (1 DB 192 Nc)

ANN DAU OF JOHN HERBERT, WIDOW OF JOHN WHIDDON

b d

she = (1) 22 Sep 1772 (Win2) Surety JOHN HERBERT

John is the son of John Whiddon, Sr. who consents for him. Ann is the dau. of John

WHIDDON HERBERT

b after 1740 dsp bef 1776 in Chesterfield Co., Va.

will 18 Jul 1778 Chesterfield Co., Va.

He left BAY TREE HOLE to his brother GEORGE HERBERT. He had purchased it from his

Mother - 75 acres. (27 DB 105-106 Nc)

MARY HERBERT, widow of MARKHAM, to my son WHIDDON HERBERT land adjacent JOHN WHIDON

& DAVID BALLENTINE called BAY TREE HOLE, in the Southern Branch, mouth of THOMAS

NASH's CREEK &c..... 17 Jan 1772 (24 DB 184 Nc)

GEORGE & JOANNA HERBERT selling to JOHN WHIDON for £ 300 land on East side of the

Southern Branch. 75 Acres adjoining DAVID VALENTINE & JOHN WHIDDON (27 DB 89-90)

HANNAH HERBERT She was named in her grandfather's will

b d

JOSHUA HERBERT

b d

GEORGE HERBERT

b aft 1740 d

= JOHANNA

b d (27 WB 105a)

Of Chesterfield County, Va. in 1779. They sold to JOHN WHIDDON of Norfolk County land

bequeathed to george by his brother, WHIDDON HERBERT, decd. & which WHIDDON HERBERT

purchased of his mother, MARY HERBERT. 75 acres on East side of the Southern Branch

of Elizabeth River binding on the lands of DAVID BALLENTINE and the said JOHN WHIDDON

(see also - 27 DB 89-90 Nc) THIS IS BAY TREE HOLE.

COURTNEY HERBERT She was in her Grandfather's will

b d

ELIZABETH HERBERT (BETTY)

b d

1772 - JOHN WHIDDON guardian to ELIZABETH; orphan of MARKHAM HERBERT (Guardian Bonds)

= 19 Sep 1772 (Win2) Witnessed by MARY HARDING

JOHN RICHARDSON

b d

MARY HERBERT

b bef 1749 in gr-f's will. Liv in 1778 when she witnessed her bro. Whiddon's will.

d by 1787 (5 DB 382,383)

= 2 Jan 1771 (Win2 & 4N100)

DR. JOSEPH HARDING OF CHESHIRE, ENGLAND

b d

Living 1824 (51 DB 452 Pac)

d aft 1824

He = (2) 22 Feb 1787 (Win2)

MARY HAPPER d 7 Aug 1821

DR JOSEPH HARDING was a Native of Cheshire, England.

He studied medicine at Librtpool and Edinburg, came

o Virginia before the American Revolution, settled

at Great Bridge, later moved to PORTSMOUTH and became,

according to Blanton's History of Medicine in Virginia

"The leading Physician in that section." It was said

of him that "He excelled as an operative surgeon."

Notice was published 11 Jan 1813 of the "Partnership

of DR. JOSEPH HARDING and DR. ROBERT B. BUTT, shop at the dwelling house of DR. HARD

ING." This was the Nivison-Ball House which then stood at the NE corner of Crawford

and Glasgow, but was moved about 1870 to its present location at 417 Middle Street.

Directly across the street on the NW corner of Crawford & Glasgow stood the "OLD

JDSIAH PARKER HOUSE" which had been built as an Inn before the Revolution by the

Rev. John Agnew, a Tory Parson. (Marshall Butt's research)

In 1800 he was Superintendent of Quarantine, Petersburg, Va. (9C132)

CALEB HERBERT OF NORFOLK COUNTY, VIRGINIA (32 V 95)

b bef 1754 (wit. a marriage in 1764) (4N21) (called "Agent" in 1766)

wd 22 Jan 1792 wp 18 May 1796 (3WB174) (see also 9C 184)

Exors: wife ANN and son MAXIMILLIAN

Buredat the Old Wardy Place in Berkeley.Graves were moved to Elmwood

HANNAH HERBERT

b d
= 20 Nov 1802
HENRY SCARBURGH. Thomas Scarburgh
was appointed guardian of HENRY
in Accomac County. (A16)

MARY HERBERT

b d

THOMAS HERBERT

MARGARET MARKHAM

HENRY HERBERT

b betw 1714 - 1716 (2 WB 112 Nco)

wd 29 Jun 1777 wp 19 Nov 1778 (2WB 134-137 Nco)

His father left him "land and plantation called BASET with

part of land called DIGBYES, being the land I now live on."

A creek divided his land from brother THOMAS' land.

He was not on the 1730 Tithable List. His father lived with

HENRY DALE and he was named in DALE's 1716 will as "my

grandson" (step grandson). He was probably named after HENRY

DALE. (9 WB 569 Nco)

Vestryman of St. Bride's Parish 1761 - 1767

He left his blacksmith tools "not to be removed from the

shipyard where I now live.....all lands for the use of his

wife during her lifetime."

He founded a SHIPYARD that lasted 100 years from 1728 until

1828. During the Revolution members of the Herbert Family

outfitted ships for the Continental Navy. (Va-Pilot 11 Nov

1951) (if the shipyard was founded in 1728 he was only about

12 to 14 years old)

= 17 Jan 1736/7 (3N77, Win2, 6 CR 103)

He left his blacksmith tools "not to be removed from the street on which I now live.....all lands for the use of his wife during her lifetime."

He founded a SHIPYARD that lasted 100 years from 1728 until 1828. During the Revolution members of the Nerbert Family outfitted ships for the Continental Navy. (Va-Pilot 11 Nov 1951) (If the shipyard was founded in 1728 he was only about 12 to 14 years old?)

= 17 Jan 1736/7 (3N77, Win2, 6 CH 103)

ABIGAIL CAWSON DAU OF JONAS & ABIGAIL (CHURCH)

b bef 1720 if 16 when married d
1782 - She was listed with 2 whites and 8 blacks from the FERRY POINT to GREAT BRIDGE.

JOSHUA NICHOLSON

b underage in 1731
wd 1767 wp 1768 (1 WB 169 Nco) ("my former wife")
= (1) 4 Apr 1744 (Win2)

TABITHA LOWERY DAU OF JAMES DECD.

b d bef 1762
Married with consent of WM: 6 ANN IVEY.
= (2) 27 Aug 1762 (Win2) Sur. LEMUEL NICHOLSON
MRS. PATIENCE WRIGHT PORTER
b d
she = (1) 11 Apr 1738 (Win2) Sur. LEMUEL NICHOLSON
WILLIAM PORTER
b d

JOHN HERBERT OF ELIZABETH CITY

b after 1714 not on Tithable List in 1730
wd Ap 1761 Jun 1761 (Chapman) Original will
His father left him a small plantation called POINT of MARSH at the mouth of JULIENS CREEK. His plantation on the Southern Branch in Norfolk County to be sold.
His Plantation was on the JAMES RIVER in HAMPTON, VA. (WS34)
20 Mar 1760 Lt. JOHN HERBERT qualified as a Colonial Officer.
= bef 1739 (VN 200-201 & VS 843-895 & 1245) SEE THEIR CHART-2 C
JUDITH CURLE DAU OF JOSHUA & ROSEA CURLE
b bef 1730 ? wd 16 Feb 1779 (Chapman)

WILLIAM HERBERT

b bef 1724
wd wp 20 May 1784 (2 WB 193 & see p 231 Nc)
= 29 Dec 1742 (3N79 & Win2) Consent by JOHN & ABIGAIL WHITDON who was formerly the widow CAWSON.

JANET CAWSON

b ca 1726 Posthumously d
WILLIAM bought 85 acres, a moiety of 170 acres, formerly sold by WILLOUGHBY HERBERT to WILLIAM's father, CAPT. THOMAS HERBERT in 1740.....descent to MARKHAM and his widow, MARY HERBERT, sold at public auction to WILLIAM in 1762, (20 DB 110a Nc)
1791/2 - JENNETT HERBERT widow of WILLIAM selling to EDWARD HERBERT 170 acres. (33 DB 73)

HILLARY HERBERT, LIEUT. He moved to SOUTH CAROLINA.

b d
= 28 May 1746 (3N96) (see this line in the Researcher)
ELIZABETH VEALE wit Thomas Veale d 1748 (Emmerson)
= (2) 18 Jan 1758 (3N127)
JANE MILES (Emmerson says JANE MILLER)
b d
HILLARY was last mentioned in 1759 (OB 18 pp 152,193 Nc)

MARGARET HERBERT

b d
She had land in Newtown.

December 1751 - We the Subscribers have begun & processioned all the land from COLLO: CRAFTFORDS to the HEAD of JULIANS CREEK.....We processioned the land of THOMAS HARBORT.... HENRY HARBORT & CAPT. MARKOH HARBORT.....
(Vestry Book of Elizabeth River Parish 1749-1761 p 10. Ed. Alice Granbery Walter 1967)

Herbert in Virginia

Chart # 2 b

RESEARCHED AND COMPILED BY

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1977

Directly across the street on the NW corner of Crawford & Glasgow stood the OLD JOSHIA PARKER HOUSE" which had been built as an Inn before the Revolution by the Rev. John Agnew, a Tory Parson. (Marshall Butt's research)
In 1800 he was Superintendent of Quarantine, Petersburg, Va. (9C132)

CALEB HERBERT OF NORFOLK COUNTY, VIRGINIA

(32 V 95)

b bef 1744 (wit. a marriage in 1764) (4N21) (called "Agent" in 1766)
wd 22 Jan 1792 wp 16 May 1796 (3WB174) (see also 9C 184)
Exors: wife ANN and son MAXIMILLIAN
Buredat the Old Hardy Place in Berkeley. Graves were moved to Elmwood Cemetery, Norfolk about 1930.
JONAS' 1782 will left CALEB "my large family Bible."
His father left him "land called baset with part of land called Digbyesland whereon I now live, 125 acres N or NE side of the road that leads from FERRY POINT to GREAT BRIDGE 6 on the E or SE of POTTERS COVEother land to go to CALEB's son JAMES at Caleb's death." (2 WB112) (Thos. will Bk H p 260 & James will 2 WB 112) (WS 331 & 34,35)

18 Mar 1772 LIEUT. CALEB HERBERT Commissioned to Norfolk County Militia
20 Jul 1775 CALEB HERBERT, JAMES NICHOLSON, JOHN PORTLOCK & THOMAS NASN on Committee of Safety for Norfolk Co. (5 W'246 & WS 35)
7 Jun 1776 "ordered that CALEB HERBERT be retained as a MASTER BUILDER of a SHIPYARD upon Rappahannock. (Calendar of Va. State Papers vol 8 p 191)

1782 CALEB HERBERT - 7 whites & 10 blacks from the FERRY POINT to GREAT BRIDGE. (5N5)
= 6 Sep Marriage Bond 14 Sep 1768 (Win2, 8W2106 & 4N59)

ANN NICHOLSON DAU OF JOSHUA

b bef 1755 if 13 or more when married Living in 1814 in son James will (4WB208)
d Called "cousin" by William Granbery & Lemuel Langley
she = (2) 11 Nov 1783 (Win2)

CAPT. JONAS HERBERT, 'ARRINER OF ST. BRIDES PARISH

b bef 1755 wd 22 Feb 1779 wp Aug Court 1782 (2WB196 Nc) Wit: None dsp (see 208165)
He left his estate to his brothers and sisters and to their children.
He inherited Lot #2 at FERRY POINT.
= 28 Jan 1773 (Win2) Surety WM: HUNTER
FANNY HUNTER

JAMES HERBERT OF THE BOROUGH OF NORFOLK 1791

b bef 1749 in gr-mother's will. Living in 1790 (13H223) d bef 1800 (9C184)
If he left a will it is probably in Norfolk.
He inherited land called POPLAR NECK S or SE of FERRY POINT ROAD &c
14 May 1791 Rec 16 May 1791 - He sold for £ 100 to the Commissioners for the MARINE HOSPITAL Lot #2 in WASHINGTON - the same lot JONAS HERBERT devised by will to his nephew CHRISTOPHER (son of his brother JAMES). (32 DB 205-8)

= 2 Mar 1774 (Win2 & 4 N 170)

DINAH TATEM DAUGHTER OF NATHANIEL & DINAH TATEM

b d
1795 JAMES & WIFE DINAH to THOS: TATUM Lot # 3 in WASHINGTON (35 DB 197-198)

CHRISTOPHER HERBERT OF ST. BRIDE'S PARISH

b Living in 1756 wd 18 May 1772 wp Apr Court 1774 as p order book (2WB30)
Wmsburg Wills is wrong. He does not call LYDIA CAWSON his mother - she is his sister. See his father's will. He names his brothers, sisters, and left his pew in Norfolk Church to his father and mother. (see also 3CH29)
1774 - Appraisals Norfolk Co. 1p174.

ARGYLE HERBERT OF PARISH OF PORTSMOUTH

b wd 10 Sep 1784 wp Jul 1785 (2 WB 283)
JONAS left him all of his Sea Books, Charts, Sea Trunk and Nadlies Quadrant (2WB165)
He inherited 2 lots at FERRY POINT & the Plantation called BASSETS on the Southern Branch.
= 23 Jan 1784 (Win2 & 5N115) NO ISSUE.
MARY TUCKER
b dsp ca 1796
Argyle was Comd'r of the Norfolk Revenge 12 Jul 1776 Caswell Galley, 1st Lt.
5 Dec 1779 (VN 200) He resigned 29 Apr 1779. (VN 200) He served on the Norfolk Revenge until it was sunk May 1778. (Win244)

CHARLES HERBERT LIEUT. IN VA. STATE NAVY ALSO HERO GALLEY

HENRY HERBERT 1761 VESTRYMAN OF ST. BRIDES PARISH

b bef 1761 d bef 1798
Inherited land SW of FERRY POINT ROAD bounded by the Southern Branch. (Brigg Point DiW
17 Jun 1788 Rec. 18 Sep 1788 - HENRY & PEGGY HERBERT to JAMES BRUCE NICHOLS for £ 250 63 acres bounded on West by the Southern Branch, on the North by the middle of POWDER POINT CREEK, East by the FERRY POINT ROAD and South by land of JAMES HERBERT; this land devised to HENRY HERBERT by will of his father HENRY HERBERT, recorded in Norfolk. No witnesses. (31DB 18-23 Nco)
1791 - HENRY & MARGARET HERBERT to WILLIAM HAMMOND. (33 DB 65)
18 Jan 1794 - HENRY & MARGARET HERBERT & EDMOND ALLMAND & ANN, his wife, to MATTHEW GODFREY, THOMAS NEALE, THOS: NEWTON, JR., THOMAS NASH JR., DANIEL SANFORD & rest of the Justices - Lot #9 in Washington. Wit: James Herbert, Thos. Gilchrist, Nathl. Godfrey
= 4 Apr 1785 (Win2) Surety SAMUEL PORTLOCK & George Capron.

PEGGY PORTLOCK

b d
= (2) _____ ABBY HERBERT. Orphan of Henry & Elizabeth Herbert
ELIZABETH in 1798 (3WB197 Nc) (see Norfolk County Loose Papers:)

JONATHAN HERBERT

EXECUTOR OF JONAS WILL.

b bef 1761 d by 1797
He inherited land called SLOOPYARD POINT NE side of LIBERTY ST., near head of POTTERS COVE to the EASTERN BRANCH of Eliz. River beginning at WM. HERBERT's garden. (29DB215)
1782 - 11 Whites & 15 blacks (5N136)
13 Jul 1785 - JONATHAN HERBERT to MARY HERBERT lot at FERRY POINT adj. WM. HERBERT
14 Sep 1785 MICHAEL & LYDIA (NICHOLSON) PAYNE of CHOWAN, J. C. to JONATHAN HERBERT land called BASSET, part of land called DIGBYES. 100 acres given by grandfather THOMAS HERBERT to father HENRY HERBERT. (29 DB 153,155,204)
1790 - JONATHAN & NANCY HERBERT of PRINCE GEORGE CO. to JOHN WARREN of Norfolk land at FERRY POINT corner of WM. HERBERT. (33 DB 139)
17 Dec 1792 - JONATHAN & NANCY HERBERT of Norfolk to JAMES MATTHEWS of same for £7.10 a lot in WASHINGTON next to EDMUND ALLMAN and the marsh called 0 26. (34 DB47)
1792 - JONATHAN & NANCY HERBERT of Princess George Co. to EDMOND ALLMAN 23 acres
18 Oct 1796 - JONATHAN & NANCY HERBERT to BUSTIN. (37DB11) (33 DB 247)
1797 - JONATHAN HERBERT to his son HENRY (37DB31)
1797 - JONATHAN & ANN HERBERT to ANN relict of CALEB HERBERT, and (p 74) JONATHAN & ANN HERBERT to MAXIMILLIAN HERBERT. (37 DB 31)
1797 - MARTHA ALLMAN, widow of EDMUND ALLMAN and ANN HERBERT, widow of JONATHAN, to MAXIMILLIAN exor of EDMUND ALLMAN. (37 DB128)
1797 - MAXIMILLIAN HERBERT to MRS. MARTHA ALLMAND for EDMUND ALLMAND & EDWARD HERBERT rents. (37 DB 117)

LYDIA HERBERT (See JONAS, CHRISTOPHER and her father's will.)

b bef 1752 d
= (1) 14 Sep 1768 ROBERT CAWSON Sur. Henry Herbert (Win2)
= (2) bef 1777 NICHOLSON (there is a will for JAS. NICHOLSON 1778 - To)
= (3) 8 Jan 1779 (Jonas will & Win2) = MICHAEL PAYNE

ABIGAIL HERBERT

b aft 1757 d
= (1) 3 Jul 1778 = WALTER HOPKINS (dau of Henry Herbert - Win2 & 5N21 & Jonas will)
= (2) OSBORN of Richmond (Win244)
ABIGAIL HOPKINS, dau of Henry Herbert, to MAX. HERBERT. (37 DB 134)

MAXIMILLIAN HERBERT

b under 21 in 1760 so b betw. 1736-1740 d bef 1779? Not in father's or Jonas' w.
20 Nov 1760 - MAXIMILLIAN HERBERT, infant, under 21 by HENRY HERBERT his father against JOHN LINDSAY & PELEG SCOTT. (OB 1760 p 65 Nco)

CAPT. THOMAS HERBERT I JOHN HERBERT OF ELIZABETH CO., VA.
MARGARET MARKHAM
4th son of THOMAS HERBERT I
b aft 1714 probably b ca 1716 for
Co., Tithable List.
wd 1 Apr 1761 wp 2 Jun 1761
Original Will. (Book 1758-64
Elizabeth City Co., Va. p252)

"wife Judith, son Pasco, son Thom-
as, son Joshua Curle Herbert, daus
Margaret and Rosea Tyler Herbert...
...my Plantation on the Southern
Branch of Elizabeth River to be
sold, son John(torn)."
Wit: William and Mary King
His father left him a small plan-
tation called Point of Marsh at
the head of Julian's Creek.
He built the Ivy House on Hampton
River, Hampton, Va. in 1730. It
is said to be the oldest house
still standing in Hampton.
Lt. John Herbert, Colonial Officer
qualified 20 Mar 1760 in Norfolk
Co. (WS 34)

= bef 1759 (VN 200-201;VS843,895,1245)
(VN 200,201; VS 843-895,1245)
(See also - Chapman, Eliz. C. Co.)
JUDITH CURLE
Dau of Joshua & Rosea Curle (6W'230)
b bef 1730 ?
wd 16 Feb 1779 (Chapman)
wd 10 Feb 1782 (in book 1758-64 Eliza.City)

will of Judith Herbert, widow "sons John
and Pasco, if John comes to Virginia to
claim his half. Reversion to John's oldest
daughter. Son Thomas, son Joshua Curle
Herbert land in Norfolk County if Joshua
should return from overseas. Daughter
Rosea Tyler Herbert and granddaughters
Judith Curle Armistead and Elizabeth
Moseley Armistead. Exor: son Pasco and
Miles King."

Herbert in Virginia

Chart # 2c

RESEARCHED AND COMPILED BY
by
Alice Granberry Waller
1977
116 B Pinewood Road, Virginia Beach, Virginia 23451

MARGARET HERBERT
b bef 1749
in G-F's & Father's will
d
= 1766 (6 W'230)
Eliza. City Co., Va.
MOSELEY ARMISTEAD
son of William
b d

JOHN HERBERT OF ELIZA. CITY
b aft 1749 *
d betw 1779 - 1782
* If he is "next heir" named in
gr-father's will in 1749. His
Mother's will "if son John comes to
Virginia.
Carpenter & Midshipman of the "Safe-
guard". Entered the War early and
did not return. (VS 895)
* ROSEA TYLER HERBERT called "my
daughter" in John Herbert's 1761 will.
She calle Pasco and Thomas Herbert "my
brothers"
*John Herbert of Norfolk County, Va.
son of ROSA HERBERT, sister of Capt.
Thomas Herbert had issue Francis
Curle Herbert, Elizabeth Curle Herbert
and Thomas Herbert. See later.

(NOTE: Because VS 895 gives the same
issue to John that Rosea names in her
will, she must have been the widow of
John. Was her maiden name Tyler? AGW)
= ?
° Rosea's w. + VS 895
ROSA (ROSEA) TYLER HERBERT
b
wd 1782 (Eliza. City Co. bk 2 p 229)

JOSHUA CURLE HERBERT
b
"overseas" in 1779. His mother left him
land in Norfolk, Co.
PASCO HERBERT
b 1741 T.S. says 21 May 1801
d 3 Apr 1801 (VN) wp 25 Jun 1801
Lieut. in Boat Liberty from 1777 to
latter part of 1780.
= bef 1795 (Chapman 158 Barbara
MARY JONES d Jones will)

CAPT. THOMAS "SILVERFIST" HERBERT
b
of Elizabeth City County
D.s.p. 1 Sep 1790 (VS 895)
He moved to Portsmouth, Va. after the War.
He was Capt. in the Va. State Navy and lost
his hand. He had a silver device in its
stead.

ELIZABETH ARMISTEAD
= COMMODORE JAMES BARRON
JUDITH ARMISTEAD
JAMES LATIMER

JOHN CURLE HERBERT of Norfolk, Va.
b betw 1761-1782 (VS 895)
d bef 1831
= 26 Oct 1802 (3M136) VS
MARY (POLLY) BUTLER 895
dau of Thomas
b d
she = (2) GILES EDWARDS
+ WILLIAM HERBERT
b d
"Heir of Thomas. He was an
Ensign in John Inglis Co.
Militia.
+ MARY FRANCES HERBERT
b d
Orphan in 1831
+ ELIZABETH HERBERT
b d
= as his 1st wife
JAMES BARRON JR.
b d

JUDITH CURLE HERBERT
b und 18 in 1782
d = ARMISTEAD
°
RICHARD HERBERT
b aft 1761 und. 21 in 1782
d
BARBARA CURLE HERBERT
b d
= MARY ANNE LATTIMER
EDWARD LATTIMER
BARBARA LATTIMER

AMELIA HERBERT
b d
= ROBERT LIVELY d
JOHN CURLE HERBERT dsp
THOMAS JONES HERBERT
b 1780 dsp 1826
JANE CURLE HERBERT d

PASCO H. LIVELY
b d
Atty. for "The heirs of Pasco
Herbert in Hampton in 1833.
REFERENCE:
w' = Wm. & Mary Quarterly Series I
N = Lower Norfolk County Antiquary
by James
VN = History of Virginia's Navy in
the Revolution, Robt. A.
Stewart 1933
VSVS = Virginia Soldiers of 1776
Louis A. Burgess 1929
WS = Wm. Stewart's History of
Norfolk County 1905

LYDIA HERBERT (3WB174 & 2WB165)
b bef 1770
d
= 16 Jan 1787 (Win²)
Surety: Caleb Herbert
JOHN PORTLOCK

b
(P. L. Portlock says she married
Maximillian Portlock and had
issue Max., Tabitha & Eliz. Port-
lock. SEE LYDIA dau of JAMES N.)

MAXIMILLIAN HERBERT I
b aft 1771 bef 1774

d
= 22 Feb 1794 (Win⁴)
LUCRETIA ALLMOND
b Liv. in 1797(37DB118Nco)

d
=(2) 19 Aug 1820 (10 W² 135)
MRS. BETSY VAN HOLT
(ELIZABETH SANHOLT)
in marriage bond

b
He inherited the house in Berkeley
known as the "Old Hardy Place", the
one that Gen. McArthur's grandfather
later bought. The land Caleb, his
father, left him called "this land
I now live on".

JOSHUA HERBERT
b after 1771

d
Inherited "A piece of the land I now
= (1) 6 Mar 1805 (A 24) live on"
ELIZABETH OLDNER dau of JOSHUA

b
= (2) 18 Jul 1809 (A240)
Methodist

ANNA APHIA ALLMON
b

d

CALEB HERBERT
ANN NICHOLSON

JAMES HERBERT
b after 1771
d 1815 (4 WB 208)
= 1798 (4 N 59 & 9W² 37)

ELIZABETH WILES MCCOY
b
wd 12 Mar 1816
wp 20 Mar 1816 (4 WB 229)
"Land at Powder Point (Wash-
ington) to be divided between
children." He purchased land
from JOSHUA MCCOY, mentioned
in his will. Her will mention-
ed sons EDWARD and CALEB and
she left Caleb land called
Elbow.

She was a daughter of
JOSHUA MCCOY. (5N6)

NATHANIEL PORTLOCK TATEM
son of Nath'l: & Rebecca
(Portlock) Tatem.

b
Justice in Nco in 1819
(WS 281)
= 4 Apr 1807 (9W² 137 Nco)

MARY NASH
dau of Thomas Nash IV &
Elizabeth (Herbert) Nash,
dau of John & Eliz. Herbert.
b 2 Nov 1784 (F.N.F.)

TABITHA HERBERT (TALETHA)
b bef 1776 (2WB 165)

d
= 7 Dec 1792 (A206 & Win²)
JOHN LIVINGSTON
b

ISSUE:
HERBERT LIVINGSTON

NANCY ANN LIVINGSTON

ANTHONY WALKER

MARY LIVINGSTON

DR. JOHN INGRAM

MAXIMILLIAN HERBERT II
b 1806 GB 1850 Census
d
= 4 May 1827 Marshall Butt
Nfk. Nwppr.
LYDIA NASH (F.L. Portlock)
b 1805

LYDIA ADELA HERBERT
b 1806 d 1847
= 1826 HAD ISSUE:
DR. THOMAS NASH VI
b 1865 d 1855
of yellow fever

JOSHUA NICHOLSON HERBERT
b 17 Apr 3ap 27 Sep 1813
d 25 Jul 1814 (A 212, 221)

SARAH VIRGINIA HERBERT
b 17 Aug 3ap 31 Aug 1815
Sur. 27 Sep 1818 (A 216, 212)

F. L. PORTLOCK gives
MAX. HERBERT I the
following issue not
shown above:

SARAH HERBERT
= WILLIAM ROGERSON
ENOCN LOWE HERBERT
= MARIA ROGERSON
ABIGAIL HERBERT

LUCRETIA ALLMAND HERBERT
24 May bap 21 Jul 1812
d (A 210)
= 13 Aug 1817 (Win⁴)
JAMES JOLIFF (A 72)

b
= (2) (F.L. Portlock)
BRODIE
b d

JOSHUA HERBERT, JR.
b d

HENRY WILLIAM HERBERT
b 2 bap 31 May 1810
(A 206)

MISS ARMISTEAD

EDWARD HENRY HERBERT
b 19 Dec 1806 in Norfolk Co.
d 4 Dec 1862 @ Level Green
his home in Norfolk Co.
wd 1 Dec 1862
wp 5 Jan 1863
(Reference: Tombstones,
Family Records, Ellen Bell
Hoggard Notes, 4 WB431,
1 N 14, 4 N 168, 4 N 49,
and 2N 7, 43)
= (1) 1830

REBECCA TATEM (see 4N49)
b d
= (2) 19 Sep 1842 (FR)

MARGARET ANNE TATEM
b 15 Nov 1815 PAC.
d 14 Feb 1870 (TS, FR, EBHnotes)
wd (see 2N7 & 43)
codicile 2 Jan 1870
wp 9 Mar 1870 (4WB487 PAC)
She was a cousin and the
nurse of Rebecca, the first
wife.

Their graves were moved from
Berkeley to Elmwood about
1920.

ELLEN CATHERINE TATEM
b 15 Jan 1828 d 15 Oct 1899
(EBH notes)

CALEB HERBERT
b 1810 In GB 1850 Census

d
= ISSUE 7 (F.L. Portlock)
ELEANOR DICKSON
b 1813 In GB 1850 Census

ENOS HERBERT (Refo)
b d in infancy

TALETHA HERBERT (2WB165)
bap 1810 (TABITHA) (A206)
d

LYDIA HERBERT (F.L. Portlock)
b
See Lydia, dau. of Caleb. I.

= ISSUE - 3
MAXIMILLIAN PORTLOCK

ELIZABETH L. HERBERT
b 1829 In GB 1850 Census d

FRANK MERCHANT
b d

MARY VIRGINIA HERBERT
b 1831 In GB 1850 Census

d
= (1)
JOHN P. HALL
b d
= (2) HAD ISSUE:
THOMAS O. SWAIN
b d

MAXIMILLIAN HERBERT III
b 1837 In GB 1850 Census

d
= EUGENIA BIGGS
b d

JOSEPH T. HERBERT
b 1838 In GB 1850 Census

d
= PAULINE NICHOLAS
b d

LOUIS G. HERBERT - Moved to Indiana
b d or Missouri
Not in 1850 GB Census.

MARY ANNE A. HERBERT
b 1844 In GB 1850 Census

SIDNEY HERBERT
b d

ANNIE HERBERT
b d

LAURA HERBERT
b 8 Oct 1834 at Level Green
d 9 May 1927 Sur. in Elmwood

DR. JAMES MCALPINE
b d

ANNE ELIZABETH HERBERT
b d

= 1867
CHARLES BURROUGHS FOSTER
b 1842 d 1882

REBECCA AMANDA HERBERT
b 17 Jul 1842 @ Level Green
d 15 Jul 1917 in Norfolk, Va.
= 14 Sep 1864

HENRY VROOMAN MCNAIR
b d
1882 Baton Rouge, La.
(Reference on this line furnished
from the family records of Arthur
Griffith, son of Wm. F. R. Griffith
and Aline Nee McNair, Griffith, and
from newspaper obits, the Diary of
Aline McNair Griffith, Notes of
Annie Laurie McNair Walker and
information from Dorothy Smith
Berkeley, and Mary Ann Beiser
Griffith.)

ALICE HERBERT
b d
= 1870
CAPT. WILLIAM W. OLD
b d

d 19 Jul 1911 at 74 years
(Nwppr Clippings from
Norfolk Ledger and Va. Pilot
and personal knowledge)

MARY NASH HERBERT

MAXIMILLIAN HERBERT IV
b d

REBECCA HERBERT = HENRY S. DAVIS
b d b d

BENNETT HERBERT = MARY BAIN
b d b d

MARY ELIZABETH HERBERT = JAMES R. PEAKE
b d b d

LENA B. HERBERT = WILLIAM R. HOWARD
b d b d

CLAUD E. HERBERT = EVA BEALE
b d b d
ISSUE: CLAUD PAGE HERBERT & EASTWOOD HERBERT
b d b d

LYDIA HERBERT = WILLIAM H. DIEHL
b d b d

EMMETT M. HERBERT = MARY STYRON
b d b d

LOUISA HERBERT
b d

EDWARD HENRY HERBERT MCALPINE
b ca 1854 d Jan 1892 = and had ISSUE

REBECCA MCALPINE
b d unmarried

HERBERT FOSTER - Died in infancy

EDWARD FOSTER - Died in infancy

MARY BROWN FOSTER
b 10 Apr 1871 d 18 May 1932

REUBEN BEALE
b 31 Jul 1875 d 4 Apr 1938

LAURA HERBERT FOSTER
b 23 Aug 1872 d Apr 1943
= 2 Dec 1897

HERBERT MALLORY BOUSH
b 9 Jun 1870 d 15 Feb 1936

CHARLES EDWARD FOSTER
b 13 Jun 1878 d 20 Jan 1968
= 1 Jan

ANNIE ALBERTA JOYNER
b 7 Jun 1883 d

ANNIE LAURIE MCNAIR
b 5 Aug 1865 d 12 Oct 1951
= 21 Oct 1890
ARTHUR L. WALKER
b 14 Jan 1863 d 30 Sep 1952

MARGARET HERBERT MCNAIR (MADGE)
b 16 May 1867 New Orleans d 27 Nov 1945 in Norfolk, Va.
= 12 Oct 1899 @ St. Luke's Church, Norfolk, Va. - ISSUE
THURMER HOGGARD VI
b 14 Sep 1872 d 7 May 1945

FLORENCE GRICE MCNAIR
b 25 May 1871 d 10 Jun 1914
= 2 Jun 1892 NO ISSUE
ARTHUR HENDERSON
b d

MARY REBECCA MCNAIR (MAMIE)
b 5 Jan 1869 d 19 Nov 1956
= 10 Apr 1910
GEORGE EDWARD SMITH
b d

ALINE HERBERT MCNAIR (SEE THEIR CHART)
b 4 Jun 1877 d 7 Nov 1971
= 26 Apr 1905 (Reference: Their son ARTHUR GRIFFITH)
WILLIAM FRANCIS ROELOFSON GRIFFITH
b 12 Aug 1876 d 18 May 1945

DR. HERBERT OLD
b 1871 d 24 May 1957

DR. EDWARD HENRY HERBERT OLD, CAPT. USN
b 28 Sep 1876 d 1942
He removed F. D. Roosevelt's appendix in 1915
= EUGENIA SMITH
b d

ALICE OLD
b d

WILLIAM DYE
b d

MARGARET OLD
b d

JOHN STUMP
b d

ANNIE OLD
b 1874 d 21 Oct 1954

CHARLES WEBSTER, COMMODORE, USN
b 1874 d 26 Feb 1960

WILLIAM W. OLD JR.
b d

MARY LANE
b d

THURMER HOGGARD VI (SEE ABOVE)

ISSUE:
HERBERT LIVINGSTON

NANCY ANN LIVINGSTON
= ANTHONY WALKER
MARY LIVINGSTON
= DR. JOHN INGRAM
SALLY LIVINGSTON

CHRISTOPHER HERBERT
b betw 1769-1770 (13M223)
d
Jonas left him a lot of
land at FERRY POINT.
14 May 1791-Rec 16 May 1791
His father, James, sells to
the Commissionera for the
MARINE HOSPITAL Lot #2 in
WASHINGTON (BERKELEY) for
b 100, the same lot which
JONAS HERBERT devised by
will to his nephew
CHRISTOPHER. (32 DB 205-8)

ANN HERBERT
h betw 1775 - 1779
d
JONAS left her b 100

ENOS HERBERT (Refo)
b d in infancy
TALETHA HERBERT (2WB165)
bap 1810 (TABITHA) (A206)
d
LYDIA HERBERT (F.L.Portlock)
b See Lydia, dau. of Caleb I.
= ISSUE - 3
MAXIMILLIAN PORTLOCK
b d
ANNE HERBERT (In will)
b after 1794
d
ELIZABETH K. HERBERT
b d
= Not in will. (F.L. Portlock)
BAUGHAN
b d
J. O. HEWLETT
b d
JANE ELLEN HERBERT
b aft 1794 (in will)
= (F.L.Portlock)
DR. A. R. SMITH
b d
KEZIA HERBERT
b aft 1794 (in will)
ELIZABETH JAMES HERBERT
b d
= (F. L. Portlock)
= ISSUE:
DR. H. H. WORTHINGTON
b d
(WERE THERE TWO SISTERS
NAMED ELIZABETH? Portlock
says so?)

MARY NASH HERBERT
b 14 Feb 1848 @ Level Green, Nco.
d 20 Mar 1916 in Norfolk, Va.
= 19 Dec 1871 @ Level Green, Nco.
HORATIO CORNICK HOGGARD
b 11 Feb 1846 @ Poplar Hall, PAco
d 8 Dec 1919 in Norfolk Va.
They are both buried in Elmwood Cemetery.

(REFERENCE ON THIS LINE; from Tombstones,
Family Bible of Mary Nash & Horatio
Cornick Hoggard, and Family Bible of
Thurmer Hoggard III and Harriet (Harding)
Hoggard, Newspaper clippings from
Norfolk papers: Virginian Pilot and
Norfolk Ledger.)

ARTHUR EDWARD HERBERT
b 23 May 1850 @ Level Green, Nco.
d 26 Feb 1897 Buried at Elmwood Cemetery
He dropped dead, after dancing a waltz,
at a Ball of the Norfolk German Club.
He was active in behalf of the U. of
Va., VMI, VPI and Farmville. He had
been a Virginia State Senator. His grave
was moved from Herbertsville, Berkeley
in the early 1900s.

ELLEN CATHERINE HERBERT
b 16 Feb 1854 @ Level Green, Nco.
d Sep 1926 in New Haven, Conn.
while visiting her daughter, Mrs.
Mary Herbert String. She is buried
in Elmwood Cemetery, Norfolk, Va.
= 22 Nov 1881 at the residence of W.W.Old
William W. Old, Freemason St., Norfolk.
NORMAN BELL
b 30 Aug 1844 (EBH notes)
d 20 Oct 1916 in Norfolk, Va.

(This line from: Family records -
kept by Ellen Bell Hoggard, Nwspr.
clippings, personal knowledge, Family
records of Mrs. Charles Robison,
Nashville, Tenn., daughter of
Alexander Bell & Elizabeth Jernigan,
and Tombstones.)

ABNER TATEM HERBERT (BUCK)
b 21 May 1844 @ Level Green, Nco.
= 8 Jul 1929 Buried in Cedar Grove
= CHARLOTTE JOHNSON
b d

ANNIE OLD
b 1874 d 21 Oct 1954
= CHARLES WEBSTER, COMMODORE, USN
b 1874 d 26 Feb 1960
WILLIAM W. OLD JR.
b d
= MARY LANE
b d

THURMER HOGGARD VI (SEE ABOVE)
b 14 Sep 1872 @ Waverly, PAco, Va.
d 7 May 1945 in Norfolk, Va. b 26 Jan 1905
= 12 Oct 1899 in Norfolk, Va. d 2 Mar 1969
MARGARET HERBERT MCNAIR (MADGE)
b 16 May 1867 in New Orleans d 27 Nov 1945 in Norfolk

MARGARET HERBERT HOGGARD
b 21 Feb 1874 @ Waverly, PAco, Va.
d 12 Nov 1962 Norfolk, Va. Bur. in Elmwood
= 8 Dec 1897 @ Poplar Hall, PAco. by Mr. Lancaster
HORACE WILDER COLEMAN
b 8 Mar 1874 Oconto, Wisconsin d 3 Dec 1949
Norfolk, Va.

HORATIO CORNICK HOGGARD
b 25 Feb 1876 @ Waverly, PAco, Va.
d 15 Mar 1947 in Norfolk, Va.
= Nov 1921 @ Old St. Paul's Church, Norfolk
HELEN LISLE SCOTT
b 14 Nov 1896 Norfolk d 25 Dec Charlottesville

HUGH PAGE HOGGARD (SEE ABOVE)
b 3 Mar 1878 @ Waverly, PAco.
d 24 Apr 1946 in Norfolk, Va. Bur. Cedar Grove
= 17 Nov 1908 in Norfolk
ELLEN CATHERINE BELL
b 27 Aug 1882 d 21 May 1950

ELIZABETH CORNICK HOGGARD
b 4 Jul 1879 @ Waverly, PAco. d Mar 1968 Norfolk
= Apr 1905
DR. MATTHEW KEMP GWYNNE, US PUBLIC HEALTH SER.
b 30 Sep 1874 d ca 1930 Ellis Island, N. Y.

MARY LOU HOGGARD
b 18 Oct 1881 @ Waverly, PAco.
d unmarried 25 Dec 1971 Bur. in Elmwood

ALICE MCALPINE HOGGARD
b 18 Apr 1883 @ Waverly, PAco.
d 15 Nov 1964 Bur. Elmwood, Norfolk, Va.
= 22 Oct 1907 @ Christ Church, Norfolk, Va.
by Rev. Robt. Gatewood (Marriage License)

JULIAN HASTINGS GRANBERY
b 28 Aug 1873 Edgerton, Ohio
d 1 Oct 1961 New York, N. Y.
Buried in Marble Cemetery, New York City, N.Y.

NELLIE LIVINGSTON HOGGARD
b 8 Jun 1889 @ Waverly d 18 Aug 1890 PAco.

FRANCES DADE HOGGARD
b 19 Jun 1891 @ Waverly d
Living in 1977

EDWARD HENRY HERBERT BELL
Died in infancy ca 1886
MARGARET BELL
Died in infancy ca 1886

ELLEN CATHERINE BELL
b 27 Aug 1882 d 21 May 1950 Norfolk
= 12 Nov 1908, Norfolk, Va.
HUGH PAGE HOGGARD (SEE ABOVE)
b 3 Mar 1878 d 24 Apr 1946

MARY HERBERT BELL
b d
= (1) = ERNEST LEA JOHN WILLIS LEA
= = JOSEPH STRING
b d

ALICE HERBERT BELL (TWIN)
b 18 Nov 1890 d Bur in Elmwood
JOHN YOUNG STOCK MITCHELL

ALEXANDER HERBERT BELL (TWIN)
b 18 Nov 1890 d 14 Apr 1974 Norfolk, Va.
= 16 Jan 1918 @ Epworth Church, Norfolk, Va.
ELIZABETH JERNIGAN
b 16 Mar 1893 d 30 Aug 1967 Norfolk, Va.

MARY LOU HERBERT
b d
= CHARLES WILSON
b d
CHARLOTTE HERBERT
b d
= JOHN LOWERY
b d
MARGARET HERBERT
b d
= CHARLES F. FEAST
b d

EDWARD H. HERBERT, SJPT, NORFOLK WATERWORKS
b d 24 Aug 1943 (Nwspr)
= MAUDE COLLINS
b d
= HARRIET DAVIS
b d
= ISSUE 3 CHILDREN
= ISSUE 2 CHILDREN

REFERENCE: All reference is to Norfolk County unless otherwise noted.

DB = Deed Book DB = Order Book WB = Will Book

The Court Records of Lower & Norfolk County, Va. are are numbered A thru J.
Deed Book 4 is the first numbered book to survive.

AGW = the Researcher, Compiler and Editor of these lines.

LNc = Lower Norfolk County, Va. Nco = Norfolk County

PAC = Princess Anne County, Va. 1691 - Now Virginia Beach, Va.

N = Lower Norfolk County Antiquary by E. W. James 1895 - 1906

Nu = Cavaliers & Pioneers by Nell Marion Nugent 1934

PB = Land Patent Books (in the Virginia State Library)

To = Virginia Wills & Administrations by Clayton Torrence 1931

V = Virginia Magazine of History & Biography

Hotten = Lists of Emigrants to America by John Camden Hotten 1962

Win¹ = Unrecorded Wills of Norfolk County by Elizabeth B. Wingo 1961

Win² = Marriages of Norfolk Co., Va. 1706 - 1792 by " " 1961

Win³ = Marriages of Princess Anne Co., Va. 1749-1821 " " 1961

Win⁴ = Marriages of Norfolk Co., Va. 1788-1817 " " 1963

Win⁵ = Revolutionery War & War of 1812, Applications for Pensions 1964

Win⁶ = Marriages of Princess Anne Co., Va. by Eliz. B. Wingo 1968

A = Abstracts from Norfolk City Marriage Bonds by George H. Tucker 1934

WS = History of Norfolk County and Representative Citizens by William

Stewart 1905

CB = Great Bridge (Norfolk Co.) Census of 1850

Nfk Nwspr = Norfolk Newspaper - Va-Pilot or Norfolk Ledger

Elmwood & Cedar Grove = Cemeteries in Norfolk, Va.

FA = Family Records TS = Tombstones FB-TN = Family Bible of Thomas Nash

FB-TM = Family bible of Thurmer Hoggard FB-NCH = Family Bible of H.C. Hoggard

EBN Notes = Notes and Records kept by Ellen Catherine Bell Hoggard which

included many newspaper clippings.

roster Records have been kept by members of that line

McNair Records were supplied by Arthur Griffith and other sources.

F. L. Portlock did a family tree of the Herberts about 1930. His research

proves fairly accurate after 1800, however, the trunk of

the tree is in error.

Level Green, Poplar Hall and Waverley were the homes of the Herberts,

Thurmer Hoggard's home for 8 generations and H. C. Hoggard's home.

Herbert in Virginia

Chart # 3

RESEARCHED AND COMPILED BY

Alice Granbery Walter

116 B Pinewood Road, Virginia Beach, Virginia 23451



THE FORGERY

From

Heraldic Visitations of Wales and some of the Marches, Lewis Dwnn - 1846

In Coxe's Historical Tour of Monmouthshire, and in Fenton's Tour, a document is given purporting to be a commission from Edward IV, to an Esquire, a Gentleman, and three Bards, to inquire into the Pedigree of Herbert; but neither state where the original is preserved. Now the return of these Commissioners bears the date of the 12th of August 1460. But, Dugdale, who gives the Extract "from a certain manuscript book, in the custody of Edward, now Lord Herbert of Chirbury," which he saw, states the year to be 1462, in his Baronage Vol. ii p 256. It therefore could only be an entry copied from the original document, now probably lost. Dugdale, however, observes in the beginning of his account of this family, that the descent of William Earl of Pembroke, is by some derived from Herbert, son of Herbert, Chamberlain to Henry I, in which the Pedigree given in Vincent's MSS., and those of Lewis, in the College of Arms, as well as the Pedigree here set forth by Lewis Dunn concur; but by others, continues Dugdale, quoting the MS., book belonging to Lord Herbert of Cherbury, from Herbert Fitzroy, a natural son of that monarch. Sanford, who was Lancaster Herald, mentions his having seen this document, and as such quotes it in his Genealogy, p 31., but does not give any date to it, or to the return. He refers to a pedigree in the College of Arms, (E.12.42^o) in corroboration of the descent from Henry I; and in a MS (marked E 13) in the same repository, (both books being of the time of Elizabeth) on a sheet bound in with the book, is a pedigree commencing with Heroert, father of Peter, who married the daughter of Bledhyn Broadspeare, (or "Brokenspeare") which gives the descent from Henry I., all which nearly agree in other particulars with that said to be certified by the Welsh Bards. In another MS., in the Herald's College, entitled "Arbor Honoris," of the time of Charles II., the Pedigree is also deduced from the blood royal.

There are several Pedigrees of Herbert in Glover's and Phillpott's Collections in the College of Arms, but none so high as to give the early generations prior to the grandfather, or great grandfather, of the Earl. It is remarkable that Vincent, in two Pedigrees which he gives in his own hand, makes the descent different from that certified in the asserted commission of Edward IV., not deducing them from Henry I., in which he is corroborated by a MS., about the close of the 17th Century, by William Lewis, and purchased, among others, a few years ago, by the Herald's College, of Edward Protheroe, Esq. In Sir Edgerton Bridges edition of Collin's Peerage, (1812) the descent of Herbert is given in Vol. iii, with a variety of references. Now, the commission is not referred to in any Pedigree in the College of Arms - a discrepancy is shown in the date; Coxe and Fenton stating it to be 1460, and Dugdale 1462. Edward IV, commenced his reign on the 4 March 1460/1, so that the two first must be wrong in assigning the return to the 12 Aug. 1460; and the date 1462 is irreconcilable with the fact, that William Herbert was not created Earl of Pembroke till the 8th of Edward IV., or 1468, while he is so styled in the asserted document. Lewys Glyn Cothi, in the Ode he addressed to him, thus alludes to his great grandfather,

who lived at Wernddu, in Monmouthshire, -

Syr William Herbert gwrser alwyn hardd;
Hil Gwilym ab Siancyn.

And again to Siancyn's father, Adam, and to Lord Herbert's mother as daughter of David Gam, -

Adam Davydd Gam oedd ei gymmhar;

but mentions none of the previous ancestry. Although I cannot help regarding this copy of a commission, which was found by Dugdale in a MS., book, as a forgery, it is here presented as in Fenton's Pembrokeshire.

"A true Coppie of an antient memorable treatise of record touchinge the progenie and descent of the honorable name and family of the Herberts, by Commission from E.4. Ano:Dom:1460.

Where hyt pleasyd the magestye of God to rayse and to exaulte unto ye kyngdome of England our dread sofferaigne lord, by ye grace of God Edward ye fowerth of that name after the conquest by rightfull tytell and inheritance to ye crowne. Soe hyt pleasyd him the sayd kynge in like ways to rayse to awthorytyes, caullinges, and dignytyes, soch chyefest men as weyre partakers of his trowbells and warrys against his adversaryes. And amongyst oders that he exawlytyd, he created William Herbert (who was before Lord of Ragland) Earle of Pembroke and honowryd him and made hym knight of the most nobyll order of ye Garter, after wch creatyon the kynge his magestye commandyd the said Earle and Sir Richard Herbert hys brother to take their synnamys after theyr fyrst progenytor Herbert Fitzroy, and to forego the Bryttish order and manner, whose vsage ys to caulle euery man by his fader, grandfader, and greate grandfader hys name. And for thys cause the herawldry of England dysputyd amongyst themselfys, towchinge the pedegree and stocke of the sayd earle and knyght, and could not agree uppon the trowth theyreof. And theyreof yt pleased the sayd kynge his magestye, under hys magestye hys seal and wrytyng of comyssion dyrected unto me Ieuan ye sonne of Rytherch ye sonne of Ieuan Lloyd of the countye of Cardigan Esq: togedyr with the ltre of ye honowrable earle giuinge me awthorytye by vyrtew of the sayd comyssion to cyte and caulle before me into the castle of Pembroke the foure cheyffest men of skylle within the prouynce of Sowth Wallys, whose names are theyse, viz: Howell the sonne of David, the sonne of Ieuan, the sonne of Rhys. 2. Howell Surdwall. 3. Ieuan Deulwyn. 4. Ieuan Brechva. And so by vnyforme consent by ye awthorytye of the sayd comyssion, and by ye commandment gyuen us for to send unto the kynge hys majesty the trewe pedegree, stock, lynadge, of ye sayd earle and knyght, wee assemblyd ourselves aulle togedyr with many oder learnyd men pressent at the castell of Pembroke this day beinge the 12 daye of ye moneth of August in the yeare of Lord God 1460. And after long consultation by unyuersaule consent and assent, and beyng lead by the awthoryte and woorant of the bookys of old doctours, auntyent wrytyngs, records of courts, barons hystories, and warrys of pryntyd bookys of remembrans founde in the auntyent abbeye of Strata Florida, the booke of pedegrees of Howell Moythey of Castell Odwyn Esq., the rowls of Morgan Abbot and many soche oder bookys and warrantes of awthorytye, And by the awthorytie of our own arte and syence have written this present treatyse wch we send togeder with ye pedegree of the sayd honowrable Earle and knyght unto the kynge hys majesty in fowre severall landuadges, viz: in Latyne, Bryttish, French and English, each coppye agreeing

word for word. And soe we most humbly take our leavys die et loco predicto.

The Pedegree is thus:

The said honowrable earle ys namyd William Herbert, a nobell knyght, ye sonne of WILLIAM, the sonne of THOMAS, the sonne of GWILYM, the sonne of JENKYN, the sonne of ADAM, the sonne of REIGNOLD, the sonne of PETER, the sonne of HERBERT, the sonne of HERBERT, a nobell Lord dyscended of the royall blood of the crowne of England: for he was natural sonne to Kyng HENRY the FIRST, sonne to WILLIAM ye CONQUEROR, which HERBERT had his habitation in St. Michael, hys Castell in ye forres of Danys: and PETER sonne of the said HERBERT FITZ HERBERT, had by his mother being ye dawghter of MILO FITZ WALTER, given unto hym the Lordship of Betsley, and he married the dawghter of Blethyn Broadspeare, by whose bodye a sonne namyd REIGNOLD, Lord of Llanllowell who married MARGARET the dawghter of Sir JOHN WALSH Kt: by whom he had yssewe ADDAM Lord of Llanllowell yt married XTIAN dawghter and heyre to GWARYN ddu (or the black) Lord of Llandeylo, by whose body he had yssewe two sonnes viz: SIR THOMAS ADAM Kt; and JENKIN ADAM Esqr Lord of Wernddu, wch JENKYN marryed WENLIAN, daughter to Sir ARON ap BLEDRY Kt; and by her had a sonne named GWYLYM Lord of Wernddu in Gwentland, which GWYLYM marryed WENLIAN daughter to HOWELL BAUGHAN sonne to HOWELL, sonne to IORWETH descyded of the Kyngs of Gwent, by whom he had yssewe foure sonnes viz: JOHN, DAVID, HOWELL, and THOMAS, wch THOMAS sonne of Gwilym of Perth Hir Esq^e married MAUD dawghter and heyres of SIR JOHN MORLEY, Knight and by her had yssewe foure sonnes viz: HOWELL, PHILIP, JEVAN, and SIR WILLIAM THOMAS Knyght, and five daughters, whereof one was married to GWYLYM DAVID of Rhiwpeperrey Esq: the second (dau) to PHILLIP RICCARD of Tyleglas, the third to GWINTER of St. Silin by Uske, and the oder two dawghters dyed younge. And the said SIR WILLIAM THOMAS, Knight, married GWLADYS, dawghter to SR. DAVID GAM, Knight, sonne to LLEWELLYN sonne to HOWELL BAUGHAN, sonne to HOWELL sonne to GWION SAYS, sonne to TRAHERNE, sonne to GWYON sonne to BLETHYN sonne to MAYNYRCH Lord of Brecknock, which sayd SIR WILLIAM THOMAS by the foresayd GWLADYS has issewe the foresaid nobell WILLIAM HERBERT, Lord of Raglan, now Earle of Pembroke and SIR RICHARD HERBERT of Cold Brooke his broder, and two daughters viz ---- wife to SIR HENRY WOGAN and ELIZABETH wife to STRADLING Knt whom God blesse and theyr posteritye.

Collected and sett downe by good awthorytye by us,

JEVAN ap RYTHERCH ap IEVAN LLOYD, ESQR:
HOWELL ap DAVID ap IEVAN ap RYS, Gent.
HOWELL SURDWALL)
IEVAN DEULWYN)- BARDES"
IEVAN BRECHVA)

Now, that this is a forgery, and not earlier than the reign of Henry VIII, is shown by the recurrence four times of the word Majesty, which was first invented as a title for the Emperor Charles V., and then adopted in the latter part of his reign by his rival, the English monarch. But the probable time of its having been written seems demonstrated by the following from Dugdale:- SIR WALTER HERBERT succeeded the first Earl; but as he raised all his power to oppose the Earl of Richmond, on that nobleman's obtaining the crown, he conferred the title of LORD

HERBERT of Ragland on SIR CHARLES SOMERSET, who had married his niece. The first Earl, however, had a natural son, RICHARD HERBERT of Ewyas, in Herefordshire, whose son WILLIAM was created Earl of Pembroke by King Edward VI., and was brother to SIR GEORGE HERBERT of Swansea, Kt. It was then most probably in the reign of Edward VI., that for some especial object this pretended document was compiled; perhaps, because the Somersets has royal blood, and therefore to boast as much.

(All of above from Dwnn pp 196, 197 v.I)

WILLIAM HERBERT 1st EARL of PEMBROKE of 2nd Creation (ED, Dwnn,ON)

b 1507 d 1569/70 Buried at St. Paul's, London

Knight of the Garter 1549; Created Baron Herbert of Caerdiff & Earl of Pembroke 11 Oct 1551 5th of Edward VI; Granted Arms and Crest in 1542; Courtier of Henry VIII 1557; Captain General of English Army in France.

From whom descend the EARLS of PEMBROKE, CARNARVON, POWIS & the MARQUIS of BUTE.
(see also Curiosities in Wilton House)

HENRY VIII bestowed on SIR WILLIAM HERBERT 1st EARL of PEMBROKE of the 2nd Creation, the house and site of Wilton-Abbey and the Lands belonging to it. Pembroke engaged Hans Holbein (died 1554) to design a palace for him. Heads of EDWARD VI, of LORD and LADY PEMBROKE & some of their children by Holbein are in the niches in the great hall. A full length statue of Pembroke by Hans Holbein is in the gallery of the Great Hall at Wilton.

In the Chapel on the window are painted WILLIAM the First EARL and his 2 sons, HENRY and EDWARD. In another panel is LADY ANNE PARR, sister to QUEEN CATHERINE 6th wife of HENRY VIII. Her daughter ANNE is with her, who was married to FRANCIS, LORD TALBOT, son to 6th EARL of SHREWSBURY. (Curiosities in Wilton House 10th Ed. 1784)

A comparatively modern family, the HERBERTS did not own a foot of land in the Country until the reign of HENRY VIII.....the only grant of monastic land in Wilts obtained by the HERBERTS was WILTON ABBEY and the lands thereto belonging.

Besides about 2000 acres of land in IRELAND, the EARL of PEMBROKE owns 39,600 acres in Wiltshire. In the neighborhood of Wilton. The Herberts are looked upon with almost as much awe and reverence as if they held their title deeds direct from the divine hand.

Herberts, of course, claim Norman descent, going back to HERBERT FITZ-HERBERT, Chamberlain of HENRY I, one of whose descendants became the EARL of PEMBROKE who, though he had no successor in his Earldom, had a bastard son, whose son, WILLIAM HERBERT, having become a Courtier of HENRY VIII received from that monarch a grant of the Wilton Abbey lands. At the death of Henry he became one of the principal members of the Government and put down a rebellion in the West of England. Shortly after he was Created, or Created himself EARL of PEMBROKE. (ON)

=(1)= ANNE PARR sister & heir to WILL PARR, Marquis of Northampton
Baron of Parr, Ross of Kendall,
Fitz-Hugh, Marmion & St. Quintin.

=(2)= ANN daughter of GEORGE, EARL of SHREWSBURY and widow of PETER COMPTON, Esq.

ISSUE: all by (1):

HENRY HERBERT 1st son	SIR EDWARD HERBERT	ANNE HERBERT
s. as E. of Pembroke &c	Seated at Red Castle	=
1569	d 23 Mar 1594	FRANCIS TALBOT
d 19 Jan 1601/2		

The Conqueror and His Companions - Planche p 126:

LADY JOANDE BEAUFORT daughter of JOHN of GAUNT)=(RALPH NEVILL Knt. Garter, EARL of SALISBURY
 EARL of LANCASTER
 son of EDWARD III

RALPH NEVILLE)=(

RICHARD NEVILLE K.G.)=(
 EARL of SALISBURY

2nd EARL of NORTHUMBERLAND)=(LADY ELEANOR NEVILLE

LADY ALICE NEVILLE)=(HENRY 5th BARON FITZTHUGH

LADY KATHERINE PERCY)=(EDMUND GREY

ELIZABETH FITZTHUGH)=(SIR WILLIAM PARR

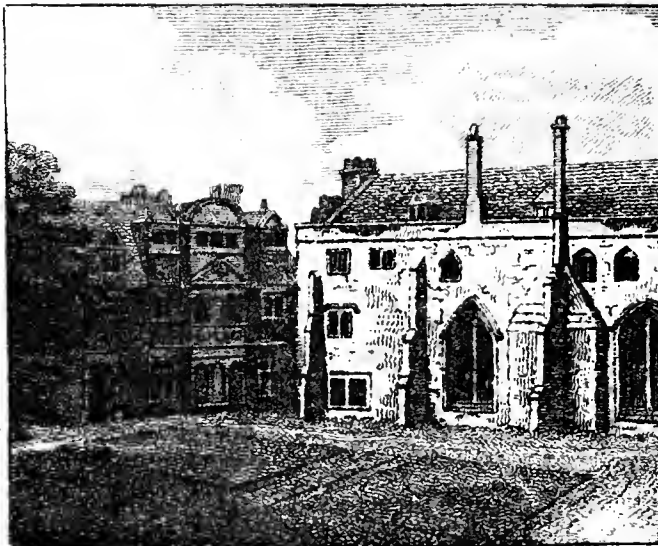
SIR THOMAS PARR of KENDALL)=(MATILDA GREENE

ANNE PARR sis of CATHERINE')=(WILLIAM HERBERT
 6th & last wife of HENRY VIII. 1st EARL of PEMBROKE
 in 1543

GEORGE GREY 2nd EARL OF KENT
 5th BARON GREY

LADY KATHERINE HERBERT
 2nd wife

ANNE GREY



PEMBROKE HALL



MARY COUNTESS of PEMBROKE



22. Harness of Henry Herbert, second earl of Pembroke.
English (Greenwich), 1580.



The Right Honourable
HENRY HERBERT.
 Earl of Pembroke and Montgomery,
 Baron Herbert of Cardiff, Ross of Kendal,
 Parr, Fitz-Hugh, Warrmion, St. Quintin,
 and Herbert of Shurland

GEORGE HERBERT 1593 - 1632 = 1628 = JANE DANVERS

His eldest brother was EDWARD, LORD HERBERT of CHIRBURY known as the "Black Lord Herbert" because of his black hair and beard. He was 5th son of Richard.

He had no children of his own. His mother Magdalen was left a widow with 7 sons and 3 daughters. Magdalen married second Sir JOHN DANVERS. George was Chaplain to LORD PEMBROKE (Henry Herbert Earl of Pembroke)

The "Church Porch" written by George Herbert contained the following:

Drink not the third glass, which thou canst not tame when once it is within thee.

Love and a cough cannot be hid.

Deceive not thy physician, confessor nor lawyer.

Hell is full of good meanings and wishings.

Whose house is of glass, must not throw stones at another.

The buyer needs a hundred eyes, the seller but one.

Time is the rider that breaks youth.

You may bring a horse to the river, but he will drink when and what he pleaseth.

Show me a liar and I will show you a thief.

He that lends, gives.

Words are women, deeds are men.

Poverty is no sin.

Woe be to he who reads but one book.

One hours Sleep before midnight is worth three thereafter.

Half the world knows not how the other half lives.

The best mirror is an old friend. He hath no leisure who useth it not.

Before you make a friend eat a bushel of salt with him.

All are presumed good till they are found in a fault.

There is an hour wherein a man might be happy all his life could he find it.

Compliments cost nothing, yet so many pay dearly for them.

The Works of George Herbert, edited by F. E. Hutchinson pub 1941 Oxford
The Clarendon Press. See also Bartlett's Quotations.

The Shortest Prayer for Thanksgiving:

Thou hast given so much to us, give one
thing more, a grateful heart. Amen.

George Herbert was born 3 April 1593 and died 1 Mar 1632/3.

SIR WILLIAM HERBERT 3RD EARL OF PEMBROKE OF THE 2ND CREATION

b 8 Feb 1580 (Lodge) d suddenly 10 Apr 1630 Buried at Salisbury Cathedral
Queen Elizabeth was his Godmother. Knight of the Garter 1 Jan 1603
Governor of Portsmouth 1609 Chan. of Oxford University
Warden and Chief Justice of the Forests South of Trent and warden of
Stanneries 5 Car. I 1630 (ED)
= 1604

MARY TALBOT dau & coh of GILBERT TALBOT 7th Earl of Shrewsbury
b d

Who was CAPT. HERBERT in the Virginia Company Records in 1609 with WILLIAM
3rd Earl of Pembroke? See also 1 H 59 relating to 1st settlement of virginia.

1593 - At the age of 13 he went to complete his education at New College,
Oxford, where he remained for about 2 years.

About 1597 he asked permission to move to London (17 years old). He arrives
in the Summer of 1599 during a sudden levy of troops on the rumor of a
Spanish Invasion. (Lodge)

19 Jan 1601 - Succeeded his father as 3rd Earl of Pembroke.

23 May 1609 - (7th James I) - Stith's app No. 2 (1 H 82)

2nd Charter to the Treasurer and Company of Virginia

Referring to a letter patent from JAMES I dated 10 April 1606, 4th James I.
.... a petition for a further enlargement and explanation thereof.

Company Incorporated: "give, grant and confirm to ROBERT EARL of SALISBURY;
THOMAS EARL OF SUFFOLK; HENRY EARL of SOUTHAMPTON; WILLIAM EARL of
PEMBROKE; HENRY EARL OF LINCOLN, EARL OF DORSET; THOMAS EARL OF EXETER;
PHILIP EARL OF MONTGOMERY; SIR OLIVER CROMWELL, Knight; SIR WILLIAM COKE;
SIR HENRY HOBART, Knight; SIR FRANCIS BACON; CAPTAIN HERBERT; CAPTAIN WOOD-
HOUSE; CAPTAIN WILLIAM LOVELACE; CAPTAIN JOHN SMITH, Esq.; DAVID WOODHOUSE.

That they shall be one body or commonalty perpetual and shall
have perpetual succession and one common seal.....
shall be known, called and incorporated by the name of THE TREASURER AND
COMPANY OF ADVENTURERS AND PLANTERS OF THE CITY OF LONDON for the FIRST
COLONY OF VIRGINIA. (may take and hold property)

1609 - In Second Charter of Virginia - "I give, grant and confirm to our
trusty and well beloved servants: WILLIAM HERBERT EARL OF PEMBROKE (son of
HENRY and brother of PHILIP).....CAPTAIN HERBERT &c (This is a
repeat of the above with some names left out) (1 B 396)

1609 - WILLIAM HERBERT 3rd EARL OF PEMBROKE was a Member of the King's
Council for the Virginia Company in 1609.

23 May 1609 - A grant to WILLIAM EARL OF PEMBROKE for the First Colony of
Virginia from SIR THOMAS DALE.

(Calendar of State Papers, American & West Indies 1574 - 1660)

1612 - WILLIAM HERBERT 3rd E. of P. was a Member of the Virginia Company in
1609 and paid £ 400. (5 V 85)

The Rappahannock River was originally Pembroke River. He took an active part
in Virginia affairs, having patented 30,000 acres in Virginia in 1630.

29 Jun 1614 - A grant to WILLIAM HERBERT E. of P. - a Plantation in SOMERS islands. (Calendar of State Papers - see above) His interest in the Bermudas was commemorated by a division of the Island being named for him.

1620- He patented 30,000 acres of Land in Virginia and he undertook to send over emigrants and cattle. It is clear, therefore, that the 3rd Earl of Pembroke was responsible for emigrants to Virginia and, no doubt, in view of his interest in the West Indies, he would arrange for emigrants to the West Indies. It may be that he arranged for special ships for the conveyance of the emigrants, cattle and stores. There were many HERBERTS, WILKINSONS and WILLOUGHBYs in the West Indies.

2 Feb 1627 - WILLIAM HERBERT EARL OF PEMBROKE 1580 - 1630 was included in a grant to his brother in BARBADOS. He had an illegitimate child, the note says he did not marry. He had mistresses. (We know that he did marry in England, but was she deceased? Their two children died in infancy, the last being born in 1621) (VWB Church, Genealogist, England)

19 May 1627 - A grant to WILLIAM HERBERT E. of P., a Plantation in GUIANA. (Calendar of State Papers 1574-1660)

25 Feb 1629/30 It is said that he obtained a grant of Barbados, but Barbados was included in a grant to his brother, PHILIP on 2 Feb 1627/8, Could this be the same patent?

He had been appointed, in 1615, Lord Chamberlain of the Household and was afterwards Chancellor of the University of Oxford. He resigned his appointment of Lord Chamberlain to enable James to give it to his brother, PHILIP, who afterwards succeeded him in the Earldom and accepted, in Lieu of it, Steward of the Household. In 1630 he received from CHARLES I the offices of Warden and Chief Justice of the Forests South of Trent & Warden of Stanneries.

Lord Clarendon said "WILLIAM EARL OF PEMBROKE was the most universally beloved and esteemed of any man of that age.....he was himself learned and endowed with a poetical genie some of his poems had musical notes set to them by Henry Lawes and Nicholas Lanear." All that he had extant were published under this title: "Poems by Wm. Earl of Pembroke &c" many of which are answered by Sir Benjamin Rudyard. (A James Rudyard, Grocer of London, was gr-gr-father of JOHN HERBERT who died in 1704 and buried in Blanford Cemetery, Petersburg, Va. ?) "He died" says Wood "according to the calculation of his Nativity made several years before by Mr. Thomas Allen of Gloucester Hall." Granger informs us of a lamentable tradition in the family, that when his body was opened, in order to be embalmed, upon the incision being made, he lifted one of his hands. (Portraits of Illustrious Personages of Great Britain by Edmund Lodge, Esq., FSA vol V London (1835) unpaginated)

ISSUE BY MARY TALBOT: JAMES HERBERT b 1616 died in infancy (Lodge)

HENRY HERBERT b 1621 died in infancy (" & ED only son)

ILLEGITIMATE ISSUE IN BARBADOS: Your editor thought for a while that this child might have been JOHN HERBERT alias WILKINSON in Virginia 1649 and who was born ca 1628 or before. No further records on this child have been found and no information as to whether it was a son or daughter. (AGW)

A WILLIAM HARBER was buried 18 Aug 1651 in St. Michaels Parish, Barbados (Barbados Records vol 1 p 21)



Edmund Spenser in the field

EDWARD, LORD HERBERT OF CHIRBURY 1630 - 1648

b 1583 at EYTON, co SHROPSHIRE (Ency.Brit.)

b 1581 (Lodge)

b 1583 (15 years in 1598/9 - His own words)

d 20 Aug 1648 at his house in Queen Street,
London. Buried in Chancel of St. Giles in
the Fields, Middlesex. (ED & Lodge & Ency Brit)

wd 1 Aug 1648 wp 5 Oct 1648 (Film 92169 PCC)

"within the Kingdome of England and of CASTLE
ISLAND within the realme of IRELAND."

Witnesses: JOANE BROWNING, ART: TREAVOR,
FRID: KLIM, THOMAS THOMAS, RICHARD
DAVIS, DOROTHY WATSON & GRIFFITH JONES.

Exors: "grandsonne EDWARD HERBERT and friends
JOHN GOLDEN of the Inner Temple ESQ. &
EVAN THOMAS of Bishopps Castle in co.
SALOP (Shropshire) Gent., Exors. in
trust for the sole use and benefitt
of my grandsonne EDWARD."

Overseers: "my most noble friend LORD NORTH &
good friend SIR THOMAS TREAVOR Knight
one of the Barons of his Maiesties Court
of Exchequer."

Below is from: Autobiography, Ency. Brit. & Lodge

- 1595 - to Oxford at 12 years. Returned home in 1600.
- 24 Jul 1603 - Knight of the Bath on Accession of James I
Sheriff of Montgomeryshire
- 1608 - He obtained a license to go beyond the seas.
- 1610 - He was a volunteer to the Netherlands commanded
by the PRINCE OF ORANGE at the seige of Juliers
where he distinguished himself.
- 1614 - He again volunteered in the campaign under the
PRINCE OF ORANGE.
- 1616 - Nominated Ambassador to LOUIS 13 - appointed a
second time in 1619 as Ambassador to Paris. He
never filled any other public station, returning
home greatly in debt and received little reward
for his services beyond the Irish peerage of
Castle Island and the English Barony of Cherbury.
- 31 Dec 1624 - By patent. Raised to the Peerage of IRE-
LAND by the title of LORD HERBERT OF CASTLE ISLAND
in co KERRY.
- 7 May 1629 - (Lodge gives 1630) Advanced by CHARLES I to
BARON HERBERT OF CHERBURY, co SALOP, ENGLAND.(Ency)
- 1632 - Appointed a Member of the Council of War. (Ency)
- 1639 - He attended the King at York.
- 1642 - He was imprisoned by the Parliament for urging the
words "without cause" to the resolution that the
King violated his oath by making War on Parliament.
He determined, after this, to take no further part
in the struggle, retired to Montgomery Castle and
declined the King's summons.
- 5 Sep 1644 - He surrendered the Castle to the parliamentary
forces, returned to London, submitted and was grant-
ed a pension of £ 20 a week (Ency) for his livelihood
having been spoiled by the King's forces.(Whitelock
& Wood) says that he received satisfaction from that
assembly for their having caused his CASTLE OF
MONTGOMERY to be demolished. (Lodge)
- 1645 - His De Veritate, twice printed in Paris was published
in London. He left many specimens of English Poetry,
most of which were published by his younger son in
1665. His Reign of Henry VIII is the production on
which his literary fame chiefly rests. (Lodge)
- 1647 - He paid a visit to Gassendi at Paris. (Ency)

His Manuscript, written when he he was beyond 60 years
(between 1643-1648), of his Autobiography was in great
danger of being lost to the world. At LYMORE in MONTGOMERY-
SHIRE (the chief seat of the family after CROMWELL had dem-
olished MONTGOMERY CASTLE) was preserved the original MSS
found at LYMORE among some old papers in very bad condition.
Several leaves being torn out and others stained. A dupli-
cate was found in the Estate of HENRY HERBERT of RIBBISFORD.

EDWARD, LORD HERBERT OF CHERBURY within the Kingdom of England and of
Will dated 1 Aug 1648 Castle Island within the realme of Ireland
Will probated 5 Oct 1648 (the probate is written in latin.)

Witnesses: JOANE BROWNING, ART: TREAVOR, FRID: KLIM, THOMAS THOMAS, RICHARD
DAVIS, DOROTHY WATSON and GRIFFITH JONES.

Reference -(Film 92169 PCC 1648 Fol. 138 - Geneal Society of the Church
of Jesus Christ and Latter Day Saints.)

In the name of the eternall and good God, I Edward lord Herbert of Cherbury within the kingdome of England and of Castle Island within the realme of Ireland being in good sense and memorie through Gods favors and grace doe make and ordaine this my last will and testament. And first I give and bequeath my naturall soule with all its diviner (sic) faculties, being understanding, will, faith, hope, love and joy to God my Creatour, redeemer and presessor committing all my others, my faculties to my rationally sarsavr? as they capable of being rinsed leaving the rest to theire principalls and elements. especially my earthly parts to the earth to be buried att twelve of the clocke att night in the parish church where I shall dye without service? or other ceremonial then is usuall forbidding all mourning or shewe of mourning thereat since my soule through Gods great mercie will be in happiness and that so xxxxxxxx a (carcasser deserves?) itt not desiring my friends nevertheles to sour? my memorie. However itt is that a monument which remaines with one Mr. Stone in Longacre or his executors may be erected in Montgomery or Cherbury Church with a strong grate of iron or Trellis of eight foot high before itt every way where it is needful and that my executors hereafter named or the maior (major) part of them furnish the charge thereof as also that which residue to the said Mr. Stone or his executors for the same being five and twenty pounds to be paid in hand and twentie and twentie pounds more when the worke is finished. And that this inscription be placed in the xxxxxx Fall of the pillar which is to stand in the middle of the said monument "Quid? asne_tas Lexxorx non iacet allibi Edwardus Baron Herbert de Cherbury et lastri Insala de Kerry seit meliorisai parte in beatorum sedes abcit seram posteritatemcestatus nihil ita relictum nisi quodsecum abducere nolait vale sector et Fude eterninati." (Quotes enclose the latin which may not be properly transcribed.) Notwithstanding which and if leave may be obtained for the building of a little Chappell adjacent to that att Montgomery where my Ancestors lye buried or els att the upper end of the Chansell on the South side a little above an old monument there. Then my will is that the said Chappell be built so that within the walls itt may be fourteene foote broad, one and twentie foot long and two and twentie foot high to be furnished with (shaires?) about as the other is and that a grate xxxx Trellis or iron of eight feet high be erected att seaven foot distance from the entrie into it so that a square of fourteene feet may remaine for placing the monument. As for and concerning my personall estate att my Castle of Montgormery and in my house in Queene Street in the Countie of Middlesex or els where within the Kingdome of England and dominion of Wales. I doe dispose of in manner following. First as for and concerning all my household stuffe of what kind or sort soever they be all my bookes, all my Armes belonging to the said Castle, ammunition and all other my goods whatsoever within my said Castle of Montgomery or elsewhere within the Countie of Montgomery, my plate in my said castle and my xxxxxxxx of xxxxxxxx(line is faded)xxxxxxxxxxxxxxx and bequeath the same to my dearly beloved grandsonne EDWARD HERBERT oldest sonne of my sonne and heire COLLONEL RICHARD HERBERT charging my said grandsonne upon my xxxxxxxxxx that he neither sell or give away nor as much as lend any

of my said bookes out of my said Castle or that he sell away the within furniture of the said Castle but that the same together with my said bookes may attend upon the settlement and intaile of my said Castle and estate formerly made for the preservacon thereof in my name and xxxxxxx forever if it shall so please Allmightie God. And my further will is that my said grandsonne EDWARD HERBERT shall permitt and suffer his said father to have the use of the said bookes and household stuffe during life he putting in good securitie to my executors hereafter named for the using of them with good xxxxnory and without spoile and for returning of them to my said grandsonne with safetie and without dimination (sic). ITEM: I give and bequeath unto my daughter BEATRICE HERBERT all my plate nowe being within my said castle of Montgomery hereby and herein formerly excepted upon this condicon that my said daughter soe yield upp and deliver over my diamond hat band formerly xxxxx likewise excepted and now in her possession by my deliverie to be kept and preserved for mee to and for such person or personsto whom I shall by this my last will dispose and bequeath the same. And if she shall refuse to deliver the said hatband according to my direction as aforesaid then my will is that my said grandsonne EDWARD HERBERT shall have the said plate to his own use and gift thereof to my said daughter to be void. ITEM: I give unto my deare granddaughters FRANCES and FLORENCE HERBERT daughters of my said sonne COLLONELL RICHARD HERBERT my said dyamond hatband now in the custodie of my said daughter Beatrice to be taken in peeces and to be equally divided betweene them and to be converted into wearing iewells (jewells) which I desire them to keepe for my sake. And as for and concerning all my hangings, linnen, pewter and other household stuffe and implements of household, my plate of all kinds only excepted now being and remayning in my house in Queen Street aforesaid. As allso all my wearing apparel, my gowne of cloth of tishew? which I intend to bestowe and my Robes of Honor which I leave to my house excepted and allso my hangings and other goods remayning in the hands of MR: JOHN XXXPENTER of London. My will and meaning is and I doe hereby devise and appoint that the same be sold by my said executors hereafter named or the maior (major) part of them and my meaning is that the monie which shalbe raised by such sale shalbe disposed of by my Executors hereafter named or the greater parte of them in manner following. First I doe bequeath the summe of £ 400 thereof unto my said daughter BEATRICE as an addition to her porcon formerly settled upon her by mee by one Indenture bearing date the seaventh of August in the year 1642 which hath reference to a precedent conveyance of the sixth of Aprill in the 12th year of his Maities reigne that nowe is. (Charles I 1625-1649). Nevertheles subject to and upon this condicon that she deliver over into the hands of my said grandchildren to whom I have bequeathed the same my hatband of dyamonds now in her keeping and not otherwise. ITEM: I doe give and bequeath unto my said twoe grandchildren FRANCES and FLORENCE HERBERT two small baggs of old gold, each bagg conteyning £ 120 to be divided amongst them part and part alike so as they dispose not thereof before their respective marriages and that the same may continue and be accounted part of their porcons. ITEM: Whereas I have the summe of £ 200 in newe gold in another bagg I doe give the summe of £ 80 of the said summe of £ 200 in new gold to my grandsonne JOHN HERBERT and the rest, residue and remainder of the said summe being £ 120 I doe give the same to be divided amongst grandchildren not before named and laid out for their best advantage by my executors hereafter named on the maior part of them which said summe of £ 80 and £ 120 my will is that my executors hereafter named see the same laid out for their best advantage. ITEM: I leave unto my said grandsonne EDWARD

hereafter named or the maior part of them which said summe of £ 80 and £ 120 my will is that my executors hereafter named see the same laid out for their best advantage. ITEM: I leave unto my said grandsonne EDWARD HERBERT the summe of £ 20 in gold in one bagg in the trunke in my chamber and 8 and 20 Pistolls of French monie in another bagg there and also the summe of £ 150 in silver in the said trunke towards his educacon in some one of the universities of this kingdom or in travell beyond the xxores (shores?). I doe likewise give unto my said grandsonne EDWARD HERBERT all my plate nowe remayning in my house in Queene Street or elsewhere in the cities of London and Westminster - faded - his said xxxxx xxxxx upon good caution xxxx xxxxitie given to my executors for the use of my said grandsonne to have the use of the said plate during his life and the securitie be for the preservacon the said plate or makeing of it good to to my said grandsonne and such of his xxxxx xxxxx him in my Castle of Montgomery. ITEM: I doe give and bequeath unto my second sonne CAPTAIN EDWARD HERBERT all that my Mannor Farme and everything of xxxxen in the Countie of Mountgomery for the terme of his naturall life onelly He paying during his life to twoe xxxxxx souldiers that have done something that is for xxxxx in the service of the Kingdome or of any Confederate thereof in the xxxxxx the summe of £ 10 a peece yearlie by and after the decease of my said sonne CAPTAIN EDWARD HERBERT then my will is and I doe devise my said Mannor Farme and Lordshyp of Clyssen? unto my said Grandsonne EDWARD HERBERT and the heires males of his body lawfully begotten chargeable and charged with the paiement of the like summe of £ 20 yearlie to two xxxxxxxx souldiers who are to attend xxxxx xxxxx without hxxxts in their right hands at the gate of my Castle at Mountgomery. ITEM: I doe give and bequeath the summe of £ 250 sterling remayning in the hands of ANTHONY TYRENS? a Dutch Merchant for which summe I gave a noate of his hand testifying the debt in a canvas bagg in my inmost xxxxx and the summe of 120 sterling nowe remayning in the hands of PIERE ffontene a French Merchant for which there is likewise a noate of his hand in the said canvas bagg unto my said sonne CAPTAIN EDWARD HERBERT which said severall summes I desire may be employed in the purchasing of one Annuities? or yearlie pension to continue to my said sonne CAPTAIN EDWARD HERBERT for his life. ITEM: my will is that the summe of £ 230 remayning in my inmost study be disposed of to such person and persons and attymes as it shall by word or otherwise direct the same to be paid unto them or any of them. ITEM: my will is that the summe of £ 245 sterling nowe remayning in the hands of my good friend MR: JOHN XPENCER of the Cittie of London Draper be disposed that is to say so much as the expenses of my funerall will amount unto shalbe in the first place deducted and that in the next place the charges of erecting my monument and tomb in such manner as before is sett forth be likewise deducted and defraied and if after my funerall defraies and monument erected there be yet any part of the said summe of £ 245 remayning then my will is that the same be equally divided amongst my said grandchildren and if it happen that the said MR: JOHN XPENCER shall not paie in the said monie or so much thereof as shall be xxxxxxxx for that purpose xxxxxxxx as the same shalbe called for to defray my said funerall charges. Then my will is that the same be defrayed out of my monies herein before by mee bequeathed and given unto my grandsonne EDWARD HERBERT and that my said grandson have allowed unto him formerly out of the summe of £ 245 one by MR: JOHN SPENCER xx same? at the same shalbe paid into my Executors. ITEM: I give and devise and bequeath all

my painted bookes in latine and greeke which are nowe in my house in Queene Street unto the -blank- and fellows of Jesus College for the use of the College and as an inception of a library there. As for my manuscripts, written papers and English bookes nowe remayning in my said house in Queene Street I doe hereby strictly charge my said grandsonne EDWARD HERBERT to the same carefully conveyed to my Castle of Mountgomery to be there preserved with my bookes and other papers by my said grandsonne EDWARD HERBERT. And whereas I have begun a manifest of my actions in these late troubles but am prevented in the review thereof I doe hereby leave it to a person whom I shall by word intreate to finish the same and to publish it to the world by my direcon and as having that expresse charge layd upon him by mee for doeing it. ITEM: I give and bequeath my Coach and fowre coach horses and my white stone horse unto my said sonne COLLONELL RICHARD HERBERT desiring him to make xxx faded xxxxxxxx horse. ITEM: I leave my chest of vialls and all my lutes unto the LADY MARY my daughter-in-lawe. And whereas there is due unto mee nowe the summe of £ 2000 from the honorable houses of parliament as an arrears of £ 20 settled to be paid unto mee, said honorable houses my differance other damage which did amount to the £ 2000 and more were all to be made good unto mee I doe hereby totally remitt the same desiring the said honorable houses that in lieu thereof and for my sake that they will please to remitt unto my said sonne COLLONELL RICHARD HERBERT the summe of £ 2500 imposed upon him as a fine for his delinquency by the committee sitting att Goldsmiths Hall. And I doe hereafter desire my executors and interested friends hereafter named to present this my humble desire to the said honorable houses of Parliament in favore of my said terme whose great debts and numerous issue are a burthen greater than my weake estate can well beare. And this my last will and testament I make, constitute appoint and ordaine my dearly beloved grandsonne EDWARD HERBERT and my verie loving friends JOHN GOLDEN of the Inner Temple Esquire and EVAN THOMAS of Bishopps Castle in the Countie of Galop gent to be my executors in trust and for the sole use and benefitt of my said grandsonne EDWARD HERBERT. And due appoint, that is intreat my most noble friend my LORD NORTH and my good friend and Ensman? SIR THOMAS TREAVOR Knight, one of the Barons of his Maiesties Court of Exchequer to be the overseers of this my last will and to theire care I particularly recommend my said grandsonne desiring them in what they can to be favorable unto him in what he may or shall have occasion to apply himselfe to them. In witness whereof I, having and by these presents revoking all former and other wills that hereunto putt my hand and seale being three sheetes subscribed with my hand and sealed with my seale in xxxxxx sheete this 1st day of August in the 4th and 20th yeare of the reigne of our lord CHARLES. (1625-1649) And in the yeare of our lord 1648.

HERBERT signed and published in the presence of us: JOANE BROWNING, ART: TREVOR: FRID: KLIM: THOMAS THOMAS: RICHARD DAVIS: DOROTHY WATSON: GRIFFITH JONES.

PROBATUM: The probate is written in Latin and is very hard to read. It was apparently in London the 5th day of October 1648. The name of NATHANIELIS BRENT IS VERY CLEAR and also EDWARDI HERBERT. There are others, EVANO THOMAS, being the only clear one.....

EDWARD 1st LORD HERBERT of CHERBURY called "THE BLACK LORD HERBERT"

Eldest son & heir of RICHARD HERBERT ESQ. of MONTGOMERY CASTLE in North Wales.

Great, great grandson of SIR RICHARD HERBERT of COLEBROOK, in Monmouthshire who was next brother to WILLIAM, 1st EARL OF PEMBROKE.

His Mother was MAGDALEN dau & heir of SIR RICHARD NEWPORT of High Ercal in Shropshire.

Nephew of SIR FRANCIS NEWPORT.

"My mother was MAGDALEN NEWPORT daughter of SIR RICHARD NEWPORT and MARGARET, his wife, daughter and heir of SIR THOMAS BROMLEY, one of the Privy Councill and executor of KING HENRY VIII.....by these ancestors I am descended of TALBOT, DEVOREUX, GRAY, CORBET and many other noble families as may be seen in their matches in the many fair coats the NEWPORTS bear." (p 1)

"I remember a defluction at my ears, continued in that violence, that my friends did not think fit to teach me so much as my alphabet 'til I was seven years old, at which time, my defluction ceased, and left me free of the disease my ancestors were subject unto, being epileposy (sic)." (pp 22, 23)

"....shortly after (his father's death circa 1594) I was sent again to my studies at Oxford, where I had not been long but that an overture for a match with the daughter and heir of SIR WILLIAM HERBERT of SAINT GILLIANS was made, the occassion whereof was this: SIR WILLIAM HERBERT being heir male to the old EARL OF PEMBROKE.....by a younger son of his, for the eldest son had a daughter who carried away those great possessions the EARLE of WORCESTER now holds in Monmouthshire. Having only one daughter surviving, made his will whereby he estated all his possessions in Monmouthshire and Ireland upon his said daughter upon conditions she married one of the surname of Herbert otherwise the said lands to descend to the heirs male of the said SIR WILLIAM, and his daughter to have only a small portion out of the lands he had in ANGLESEY and CARNARVONSHIRE.....his daughter MARY continued unmarried until she was one and twenty, none of the Herberts appearing in all that time who either in age or fortune was fit to match her. About this time I had attained the age of 15 years and a match at last being prooosed, yet notwithstanding the disparity of years betwixt us, upon the eighth and twentieth of February 1598 in the house of Eyton, where the same man, Vicar of(-blank-) married my father and mother, christened and married me, I espoused her." (pp 25,26)

(Lodge):

He had been sent to Oxford at the age of 12 and was entered a Gentleman Commoner of University College. He remained there until 1600, when he settled in London. He went to Paris in 1608 leaving his wife pregnant, and with three small children. In the Spring of 1610 he embarked for the Netherlands as a volunteer with the English Troops, Commanded by the Prince of Orange at the seige of Juliers, where he distinguished himself.....In 1614 he again volunteered in a campaign under the Prince of Orange..... In 1616 he was nominated Ambassador to Louis 13th for the professed purpose of renewing the oath of alliance between

JAMES and the deceased HENRY 4th, but in fact to negotiate in favour of the protestants. He was appointed a second time as Ambassador to Paris.

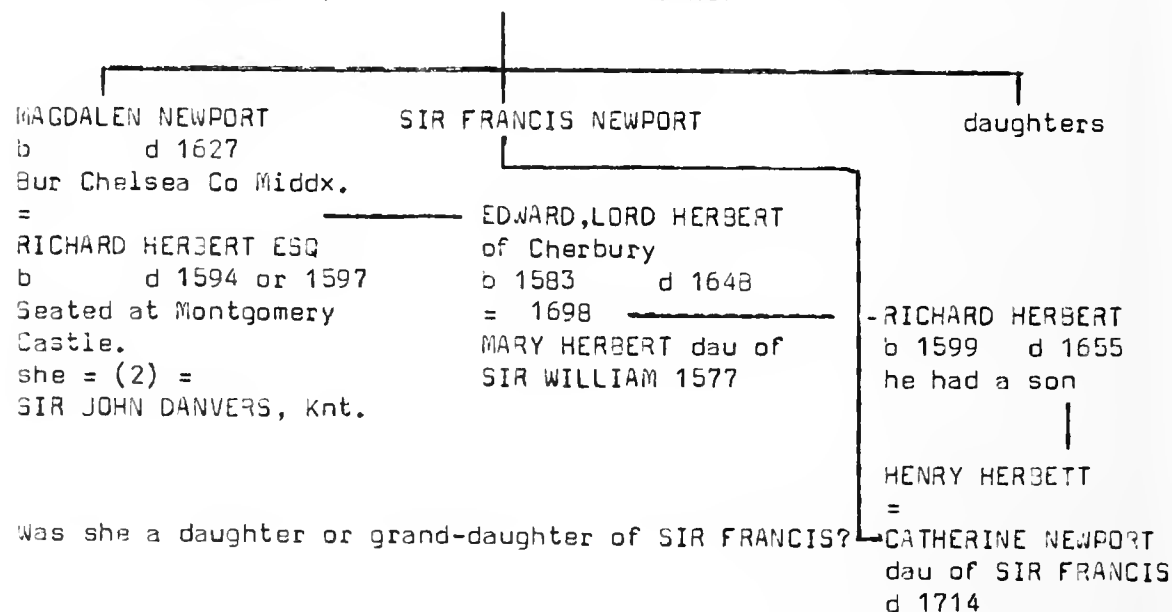
He never filled any other public Station. On the 22 Dec 1624, shortly before the death of JAMES he was raised to the Peerage of Ireland, by the title of LORD HERBERT of CASTLE ISLAND, in the COUNTY of KERRY, in which he possessed a considerable estate, and on the 7 May 1630, was advanced by CHARLES I to BARON HERBERT of CHERBURY of ENGLAND.

The Parliamentary History informs us that he gave a great offence to the House of Peers by a warm speech on the side of loyalty, and that he was among those of the nobility who attended the King at York..... LORD ORFORD, without citing his authority, charges him with having sided with the majority in the Long Parliament and expressly with having "taken up arms against the Crown." Whitelock says that on the 25 Feb 1644 the Parliament "granted him an allowance for his livelihood having been spoiled by the King's forces;" and Wood, on the other hand tells us that "he received satisfaction from that assembly for their having caused his Castle of Montgomery to be demolished." These perhaps ought not to be considered as contradictory reports. Herbert probably temporised(Lodge)

1645 - His De Veritate having been twice printed in Paris was republished in London. He left many specimens of English Poetry, most of which were collected and published together by his younger son in 1655. His History of the Reign of Henry VIII is the production on which his literary fame chiefly rests. (Lodge)

THE NEWPORT LINE OF EDWARD, LORD HERBERT of CHERBURY:

SIR RICHARD NEWPORT, Knt = = MARGARET



The patronymic of a noble English house, many of whose members figure in English History, Politics, and Literature. Among them is the name of EDWARD, LORD HERBERT of CHERBURY, an eminent philosopher, and statesman, born 1531 and died 1633. His work "On Truth" has been termed "a monument of original and independent free thinking." His brother GEORGE HERBERT born 1593 entered holy orders, and gave his country some poems - quaint, indeed, but exquisite as specimens of the Elizabethan verse. George died in 1633. (Standard Ency. by Prof. Chas. Morris)

ENGLISH BIOGRAPHY BEFORE 1700 by Stauffer - New York Public Library

The curious researched of Walpole were also responsible for the publication in 1754 of the autobiography of EDWARD LORD HERBERT of CHERBURY, which is allied in spirit with CARY's memoirs. The life stops with HERBERT's return from France in 1624 although CARY did not set it down until the year 1643. His egotism is marked. The biography begins with his precocity and his first question: "Why was I born?" A question which the life does not attempt to solve. That HERBERT was an original and serious thinker cannot be gleaned from his autobiography. He is ingeniously conscious of his own attractions, his beauty, and his bravery. His portrait, he mentions, was sought by great dames and "gave occasion ... of more discourse than I could have wished" (p 126). Once, upon entering LADY AYRES' chamber, he says (p 129), "I found it was my picture she looked upon with more earnestness and passion than I could have believed."

Lively anecdotes, repartee, and epigrams crowd his pages; his continental career is largely composed of challenges and duels, with a side pilgrimage to a country inn to see the daughter of the host, reputed the most beautiful woman in Europe. She does not move him. His diplomatic career in the Embassy at Paris is marked by typical self-esteem (p 195):

"When I came to Paris, the English and French were in very ill intelligence with each other, insomuch that one BUCKLY coming then to me, said he was assaulted and hurt upon Pontneuf, only because he was an Englishman: nevertheless, after I had been in Paris about a month, all the English were so welcome thither, that no other nation was so acceptable amongst them, insomuch, that my gentlemen having a quarrel with some debauched French, who in their drunkenness quarrelled with them, divers principal gentlemen of that nation offered themselves to assist my people with their swords."

This entertaining and frivolous succession of anecdotes follows oddly upon the heels of his declaration: "I have thought fit to relate to my posterity those passages of my life, which I conceive may best declare me, and be most useful to them." Possibly CHERBURY could have fitted into this brave scheme his duels and amours. It is enough for us that such anecdotes sparkle, and that his boastful pen does not grow heavy. (Pages 182 - 183)

EDWARD LORD HERBERT of CHERBURY calls his work of MARY VIII "The Life and Reigne" (1649) (Page 220)

"Certainly," says CHERBURY in his autobiography (ca 1643), "it will be found much better for men to guide themselves by such observations as their father, grandfather, and great-grandfather might have delivered to them for which reason I have thought fit to relate to my

posterity those passages of my life, which I conceive may best declare me, and be useful to them."

The life of a fictitious personage may be rendered more credible if told as an autobiography. Thomas was one of the first to make capital of this device, and his Life of Jacke Wilton (1594) is a dashing and exuberant series of incidents told by its cunning and unscrupulous hero.

Just as the saints' lives begin with accounts of the unusual holiness of their heroes in childhood, so Walton commences his life of HERBERT with: "the beauties of his pretty behaviour and wit, shin'd and became so eminent and lovely in this his innocent Age, that he seem'd to be marked out for piety, and to become the care of Heaven, and of a particular angel to guard and guide him." When GEORGE HERBERT grows to manhood, Walton continues with the "almost incredible story, of the sanctity of the short remainder of his holy life; a life so full of Charity, Humility, and of Christian virtues, that it deserves the Eloquence of St. Chrysostom to commend and declare it."

BIOGRAPHIES before 1700:

1613 - Hayward's THREE NORMANS

1643 (circa) - HERBERT of CHERBURY's autobiography to the year 1624.

1649 - HERBERT of CHERBURY's Henry VIII called "The Life & Raigne"

1652 - Oley's LIFE OF (GEORGE) HERBERT

1670 - Walton's HERBERT (GEORGE)

"Life and Raigne of King Henry VIII" 1649 justifies the sub-title "A General History of the Times." Many original papers and much unrelated material. Political.

William Dugdale - "The baronage of England, Or an Historical Account of the lives and Most Memorable Actions of Our English Nobility."

Sir Fulke Greville - "The Life of the Renowned Sir Phillip Sidney."
Written about 1610 - 1612

Philip Herbert - "The Life and Death of Philip Herbert, the late Infamous Knight of Barkshire." No date but about
1649 - 1650 (Herbert died 1650) Derogatory. Anon.

Thomas Lodge - "The Famous, True and Historicall Life of Robert, second Duke of Normandy, surnamed for his monstrous birth and behaviour, 'Robin the Divell'." 1591 Mod. repr. in "Works," 1883 vol. 2.

Michael Drayton - Matilda, & Robert of Normandy 1593 - 1596.

JOHN HERBERT ALIAS WILKINSON

b before 1628 Witnessed a deed in 1649 (C 30) in Lower Norfolk County Va.
wd 15 Jan 1669/70 wp 16 Apr 1675 by MAJOR FRANCIS SAYER (E p 185a LNC)
Executrix - sole exex. MARY, his wife. Witnesses: MARY WILLIAMS

Written in the margin of the will: "att a Court held ye 15 Jun 1675 MARY WILLIAMS, now MARY JONES, ye wife of JNO: JONES dec'd, in open Court (deposes) that shee did signe this will as an evidence, JNO: HERBERT being then present butt whether hee signed or Sealed ye same shee knoweth nott."

"In ye name of God Amen, I JOHN HERBERT being in perfect health and now bound out of this Country and nett knowing how It may please God to dispose of me doe here make and declare this to be my last will and testament in manner and form following (viz) I give and bequeath unto:

my sonne JN^o: HERBERT my Cleare land and houseing, and as much of the woodland adjoining to it as shall make up his Equall proportion amongst the rest of my wife's sonnes.

I give to ye rest of my wife's sonnes all ye remaining part of my land, equally to bee divided amongst them and to bee delivered to Each of them att the age of twenty-one yeares by me Executrix hereafter named and if that child my wife now goes with bee a boy then his share of the land to be equall to all the rest and In case that any of the aforesaid male children shall dye before they attayn to the age aforesaid or without (heirs) lawfully begotten, that then his or their part to returne to those that survive.

I give and bequeath to my well beloved wife MARY HERBERT one third part of my estate both personall and reall, that is to say ye third Part of my Reall Estate is butt for her and during her natural life, I give and bequeath the other two thirds of my personal estate to bee (ink blot) divided amongst all my wife's children that now is living to bee delivered unto them att their Respective ages or the day of their marriage and in case any of them dye during their minority then his or their part to Returne to thethe Rest of the sd children, and I doe further appoint my well beloved wife to bee my sole Exequetrix to see this my last will and testament performed when it shall please God to take mee out of this wicked world to restore mee to his mercy in witness whereof to all ye above written I have hereunto sett my hand and seale this 15 Jan 1669. Signed: JOHN HARBURD & SEALE (E p 185a LNC)

Between 1663 - 1679 A JOHN HARBURT (HARBINT in Index) (Blackmore); destination, Barbadoes or Virginia. Listed as a servant. When this was first found it was thought that JOHN HERBERT may have been lost at sea on his way home from his 1669 trip, however, he owned land in Virginia before this so could not have been a servant. (Indentured servant)

17 Dec 1649 Sealed & Delivered 29 Oct 1652 - RICHARD YATES sells to THOMAS HORNE land between 2 branches, at the river's edge in the SOUTHERN BRANCH - being the land THOMAS HORNE is now seated on.

Witnessed: JOHN FINCH & JOHN WILKINSON. (c p 30 LNC)

(This is the first record of John Wilkinson in Lower Norfolk County.)

Dated 9 Mar 1652 - (Nu 274)¹ I, RICHARD BENNETT ESQ. CAPT. GENERAL OF VIRGINIA.....ye 12 Mar 1651/2.....give and grant unto HENRY BARLOW 350 acres of land..... in ye SOUTHERN BRANCH OF THE ELIZABETH RIVER & beginning at a mkd pine & running for length, North west 320 po to a mkd oake standing by a Creeke side called JULIANS CREEKE and soe downe by ye creeke side for bredth East North East 175 po to a mkd pine standing by ye branch side soe againe for length South South East 320 po to a mkd pine & soe againe for bredth West South West 75 po to ye first menconed mkd tree. The said land beinge....ye said HENRY BARLOWfor ye transportation of 7 persons.....
Recorded 18 Oct 1654 Signed: RIC: BENNETT (C 103a,104)

Court held 15 Oct 1654

for transfer of 7 persons: HENRY BARLOW 3 times, THOMAS BARLOW, ABRA: PANCRAFT, ELIZ: PANCRAFT and WILLIAM STARKEY. (NU 274 & 3 PB 178)

19 Jan 1653/4 - I HENRY BARLOWE doe assigne over unto ffrANCIS EMPEROR of Elizabeth River all my right title & interest in this patent.....
(this transfer is not in Nugents) HENRY BARLOW

I, ffrANCIS EMPEROR doe assigne over all my right, title &c....of this patent unto JOHN WILKINSON or his assigns as witness my hand this 15th Jul 1654. Rec. 15 Oct 1654. Signed: ffrANCIS EMPEROR (C101a)

1 Oct 1661 - 350 acre patent to JOHN WILKINSON renewed 11 Mar 1664/5.
(Your editor has not found this patent unless it is the
one above in 1651/2) (Nu 479)

Dated 11 Mar 1664/5 - Sir Wm: Berkeley. Knt. Gov.....grant unto JNO: WILKENSON 700 acres of land situate in ye County of Lower North-folk (sic) :

350 acres parte thereof being in ye SOUTHERN BRANCH of ELIZ. RIVER and beginning at a mkd pine and running for length No No West 320 po to a mkd oake standing by a Creek side called JULIANS CREEKE & soe downe ye Creeke side for bredth East No East 175 po to a mkd pine standing by ye branch side and soe againe for length So So East 320 po to a mkd pine and soe againe for bredth West So West 175 po to ye first menconed marked tree (SAME LAND AS ABOVE 350 acres - 12 Mar 1651/2)

and 350 acres, ye residue, lying on a Creeke called DEEP CREEKE being a branch of ye SOUTHERN BRANCH of ELIZABETH RIVER and is joyning to ye aforesaid devident beginning at a mkd pine soe running for length Westerly up DEEP CREEKE to a small Creeke called GOOSE CREEKE to a mkd pine 320 po and soe againe No for bredth 175 po butting on ye land of THO: WHITE & soe againe for length Easterly 320 po butting on his owne land & soe 175 po to ye first menconed mkd tree including or bounding ye said quantity of Land.

The said land being due unto ye said JNO: WILKENSON as follows:
350 acres parte thereof being formerly granted unto sd WILKENSON by
Patent dated ye 1 Oct 1661, and

350 acres ye residue being due by and for ye transportation of seven persons : ELIZ: COLLINS, JOS: B(ONS?), ELLEN GALLOP, ELIZ: HONES, THOMAS ABBOTT, JOHN MORLEY & JOSEPH MORLEY.

Written in the margin of this patent: "this pattent made in WILKENSONS name now made in HERBERTS being his true name he having assumed the name of WILKENSON falsly." WILKENSON 700 (acres) (5 PB 265)

1662 - JOHN WILKINSON at a Court hearing "for not having his children baptised."
(4 N 33)

11 Mar 1664/5 - RICHARD YATES Patent for 350 acres in DEEP CREEK in the So. Branch of Elizabeth River beg. by the Creek side, running for length N by E &c.... butting on the land of JNO: WILKERSON. For transfer of 7 persons: SALL. ROBERTS, JOANE ROBERTS, MARTHA HOLMES, HUDDY CHASE, ROBT: LUSBY, WM: NICHOLSON and JNO: TAYLOR. (5 PB 264)

21 Jul 1667 - now know ye that I the sd SIR WM: BERKELEY Knt., Govr. &c Doe give and grant unto MR. JOHN HERBERT 1227 acres of land lying in the County of Lower Norfolk upon the West side of the SOUTHERNE BRANCH of ELIZA: RIVER beginning at a marked pine standing upon a point and soe running SSW 396 po by the MAINE RIVERSIDE to the mouth of a creeke called DEEP CREEKE thence WNW 496 po up the said creek to a small creek called GOOSE CREEK to a marked pine thence NNE 396 po to the land of JOHN MANNING soe ESE 496 po by DIN^ALING? CREEK and the River side to the first station.

350 acres of this land being due unto the said JOHN HERBERT by patent beareing date the 1 Oct 1662 and 300 acres (350?) other parte thereof by pattent dated the 11 Mar 1664/5 and

527 acres the residue per trans: of eleven persons: JNO: HORROD, ELIZ: BANKES, JNO: SCOTT, GEO: GREEN, MARY GOODRICH, SUSAN POOLE, WM: GREEN, JNO: WALLER, JNO: CLARKE, MARY JONES and JAMES HARLOW.
(6 PB 220)

(NOTE: LONG CREEK was evidently very close, or in the middle of, JOHN HERBERT'S PATENT. There is one unnamed creek between DEEP CREEK and JULIAN'S CREEK - flowing east and west and emptying into the SOUTHERN BRANCH. AGW)

17 Apr 1671 - Acknowledged in Court same day - I ABEL FLEWELLEN for and in consideracon of 400 gall: of Tarre in Caske.....by these presents doe make sale unto THOMAS RICHESON of the SOUTHERNE BRANCH of ELIZA: RIVER of 100 acres of land lying and situate in GOOSE CREEK the Eastern side of the sd Creek and bounding upon the land of JNO: HERBERTS the Eastern side and upon the sd Creek on the other side with all houses, orchards and privileges andthereunto belonging.....
Wit: RICHARD JONES & JO: EDWARDS Signed: ABEL FLEUELLEN & SEALE
HANNAH FLEWELLEN & SEALE

BOTH MADE THEIR MARKS.

22 May 1668 - Recorded 1675 - Whereas there was a difference like to bee or amise beetwixt THO: RICHARDSON and I the subscriber about 60 acres of land intended to bee taken up by mee the subscribed butt the sd RICHARDSON haveing entered rights before mee I doe therefore by these presents acquitt and disowne my Right and Title to the aforesd 60 acres of land, and shall for myselfe my heyres and assignees bee and am absolutely bound in the penalty of forfeiture of 5000 lb tob and Cask nott to trouble or molest nor Cause to bee molested the sd. RICHARDSON his..... possession of the 60 acres of land for himself, his hyres & assignes as witness my hand the 22 May 1668.

Test: WILL: CARVER & JOHN (IM) MANINGS

JNO: HARBURD (4 p 4a LNC)

22 Aug 1674 - THOMAS RICHARDSON assigns the 60 acres over to HENRY DAYLE.
Acknowledged in Court 15 Oct 1675.
(4 p 4a LNC)

10 May 1677 - ROBERT BUTT and others are to find what estate they can
of JOHN HERBERT decd. (OB 1675-1686 unpaginated)

19 Jun 1682 - Recorded 15 Aug 1691 - DIVISION OF LAND OF JOHN HERBERT

Know all men by these presents that HENRY DALE and THOMAS WILLOUGHBY Doe firmly bind themselves each to the other in the some of 10,000 l tobacco and caske to bee paid by that party that shall in any wise molest the other by comencing any suite of Law of Causeing any Diference about the lands left by JNO: HERBERT SENR: Decd after they are layd out and divided by the Respective men heareafter nominated and the said tobacco to bee paid upon Demand by the person makeing Defalt therein. In witness whereof we have hereunto sett our hands and seales this 19 Jun 1682.

The condition of the obligation is such that whereas there hath beene a difference betwixt the above said DAILE & WILLOUGHBY about Land and beingminded to putt a perid to all Controversies about that they have agreed to make choyce of and Doe Chuse JOHN BIGGS, JNO: EVERIDGE, JOHN MANNING and ROGER HODGIS to make Division of the said Land according to the said JNO: HERBERT SENR: his will into three parts and what the said parties shall Doe in and about (missing) to the said Divident to bee deemed firm and valied in Law (missing) any Contradiction of (missing) agst the said DALE and WILLOUGHBY and that the said parties Doe make a full Determination of the Differences In that nature betwixt them to whose Judgmts Acts and -(can't read)- if the said HENRY DALE and THOMAS WILLOUGHBY Doe Stand too hold and keep then this bond to bee voyd or else to bee in full force power and vertue.

WIT: JNO: FEREBEE

HENRY (MARK) DALE & SEALE

ROBERT (R) TUCKER

THO: WILLOUGHBY (MARK) & SEALE

"20 day of Jun 1682 being the day the land was divided on"

Dated 20 Jun 1682 the day of the Division Recorded by 15 Aug 1691: JNO: (MARK) EVERIDGE, JOHN (MARK) MANNING, JNO: BIGGS SENR: and ROGER HODGIS being indifferently chosen by HENRY DALE and THOMAS WILLOUGHBY to make division of the lands JOHN HERBERT SENR: Dyed seized of which wee have Done as neare Could according to his will and Is in maner and forme following vizt: as to the first part: Now belonging to the orphans of JNO HERBERT son & heire of JNO: HERBERT SENR: bouth decd. now living with HENRY DALE. Wee doe allott the housen (houseing?) Cleare ground and as much woodland Ground as is Contaned from the Branch of the Creeke by the Plantation and that to bee a natural bound betwixt RICHARD HERBERT(S) part and the said Orphants part. Soe far as a pine mkd standing on the forke of the Creeke and from thence by a line of mkd trees runing Westerly up to the further bounds of the whole Division and for the other two parts belonging to THOMAS WILLOUGHBY and RICHARD HERBERT is bounded (vizt); from a Creeke that comes out DEEP CREEK about the midway between the mouth of DEEP CREEK and the mouth of GOOSE CREEK, to bee a natural bound between THOMAS WILLOUGHBY and RICHARD HERBERT soe farr as a marked Read Oake standing on a foulke (fork?) of the BROAD MARSH and from thence by mkd trees runing North Ely to the line aforementioned that runeth Westerly and that part that is on the Easterne side of the BROAD MARSH and Creeke towards the SOUTHERN BRANCH we doe allott to RICHARD HERBERT as his part and the other part of land lying on the Western side of the said MARSH & Creeke towards GOOSE CREEKE wee doe allot to THOMAS WILLOUGHBY and the first part lying Northerly adjoining to the plantation to JOHN HERBERT. (5 DB 160 LNC)

JOHN HERBERT ALIAS WILKINSON OF LOWER NORFOLK COUNTY, VIRGINIA

b between 1616-1628 Probably born ca 1625 (C 30 LNc)
d ca 1675 wd 15 Jan 1669/7 wp 16 Apr 1675 (E 185a LNc)
He came to Virginia in or before 1649 (C 30 LNc)
= between 10 Jan 1655/6 - 15 Nov 1656 (C 117a)

MARY BENNETT MAID SERVANT OF CAPT: THOMAS WILLOUGHBY IN 1653

b ca 1631 (D f 38 LNc) d between 1672 - 1682 (E 131 LNc)

15 Apr 1653 - MARY BENNETT transported to Lower Norfolk County by THOMAS WILLOUGHBY Jr. (Capt: THOS: WILLOUGHBY has been out of the Colony for almost 4 years. (C 44 LNc)

Sep 1654 - MARY BENNETT to dispose of herself within the Colony untill she is brought to Bed and for one month after, and then to return to CAPT: WILLOUGHBY's service. (C 96a, 97 LNc)

15 Nov 1654 - MARY BENNETT's action against THOMAS WILLOUGHBY JR. referred to the next Court. (C 105 LNc)

15 Dec 1654 - CAPT: THOMAS WILLOUGHBY gives MARY BENNETT one heiffer of two years old for the use of the child she now hath. (C 110 LNc)

15 Dec 1654 - THOMAS WILLOUGHBY JR. is presented for committing fornication with MARY BENNETT, singlewoman, his father's servant. (C 113a LNc)

15 Dec 1654 - by joynt consent between CAPT: THOMAS WILLOUGHBY and MARY BENNETT, she is to have her freedom upon paying 300 lb tob & caske in Mar 1654/5 and another 300 lb tob & caske 10 Jan 1655/6 (C117a LNc)

17 Dec 1655 - THOMAS WILLOUGHBY JR. is fined 300 lb tob for fornication. (C 186 LNc)

15 Nov 1656 - MARY WILKINSON made a deposition stating that she was aged about 25 years - so born ca 1631. This record also proves her marriage to JOHN HERBERT alias WILKINSON. (D f 38 LNc)

16 Oct 1671 - Whereas there was an agreemt made betweene SARAH WHITE widow and MARY HERBERT wife of JOHN HERBERT for the mayntenance of the said SARAH during her naturall life in consideration whereof SARAH did give unto sd MARY all of her estate which writing ack: & Recorded and now in open Court Relinquished by ye sd SARAH shee nott likeing to live with the sd HERBERT wherefore upon the pett: (of SARAH) it is ordered that the sd agreemt be made void & the sd HERBERT redeliver her the sd SARAH whatsoever shee recd.... one Cow excepted for mayntenance while sd SARAH was at her house..... (E f 72 LNc)

27 Jul 1672 - "To the worp: his majestys justices of ye peace Humbly sheweth that your pett: MARY HERBERT being arrested in an action of the Case by THO: BLANCH agst this Augt: Court your pett^r being hindered per an unexpected providence your pett^r Humbly Craves a - xxxx - untill the next Court when your pett^r God willing shall attend and your pett^r shall pray."

Wit: THOMAS MERCER & WM (W) PRESLE

Signed: RICH: (B) BACHELOR

15 Jan 1669 - in the will of JOHN HERBERT alias WILKINSON he leaves his land to be equally divided between his sonne JOHN and "ye rest of my wife's sonnes." To be delivered at the age of 21 years. "If that child my wife now goes with bee a boy, then his share to equall all the rest." "If any of the aforesaid children shall dye before they attayn to the age aforesaid or without heirs, his or their part to returne to those that survive." "1/3 of Personal & real estate to well beloved wife, MARY HERBERT, during her natural life or marriage." "The other 2/3s to be divided between all my wife's children that is now living". (E 185a LNC)

1679 - In his will JOHN HERBERT II leaves his land to sonne JOHN and if the child in esse be a boy then he is to have the other half. (the child in esse was THOMAS) He empowers his brother (1/2 bro.) THOMAS WILLOUGHBY to see that his children are not wronged. (There can be little doubt that THOMAS HERBERT was named for THOMAS WILLOUGHBY) (4 DB 50a LNC)

20 Jun 1682 - recorded 15 Aug 1691 - The Division of the Land of JOHN HERBERT L --- JOHN HERBERT II is deceased and his children are living with HENRY DALE. The division was made according to the will of JOHN HERBERT I:

- 1/3 to the orphans of JOHN HERBERT II son & heire of JOHN SR. both deceased, now living with HENRY DALE.
- 1/3 to RICHARD HERBERT (the child in esse in 1669)
- 1/3 to THOMAS WILLOUGHBY (this is the record with the will that proves his parentage.)

NOTE: The 1669 will and the 1682 Division of JOHN HERBERT's property prove that MARY BENNETT was the mother of JOHN & RICHARD HERBERT as well as the mother of THOMAS WILLOUGHBY, their half-brother. (AGW)

Mar 1691/2 wp 15 Jan 1693/4 - Nun-will of RICHARD HERBERT who did give all of his estate to his brother (1/2 bro.) THOMAS WILLOUGHBY (5 DB 231 Nc) (NOTE: The division dated 1682 was not recorded until 5 months after this RICHARD's death. THOMAS WILLOUGHBY was considerably older than his half brothers and probably took the place of their father when he left the country in 1669 and apparently never returned. AGW) (5 DB 231 Nc)

14 Nov 1698 - JOHN HERBERT's (III) (heir of his grandfather and father, JOHN HERBERT I & II both decd.) deed to THOMAS WILLOUGHBY SR. according to the will of his grandfather dated 15 Jan (Mutilated). JOHN HERBERT is selling land according to the "true intent and meaning" (of his grandfather's will, no doubt.) (6 DB 143 Nc)

19 Nov 1698 - THOMAS WILLOUGHBY's deed to COZEN (1/2 nephew) JOHN HERBERT Selling land that was supposed to be given (mutilated) dated 15 Jan 1669 (this date is the date of JOHN HERBERT I's will) (6 DB 144 Nc)

(NOTE: The above two deeds, although mutilated, show that there was some default in the division of the land and JOHN & THOMAS are re-establishing the proper lines. The deeds are also further proof that THOMAS WILLOUGHBY is the son of MARY HERBERT, relict of JOHN HERBERT I. AGW)

The preceding records from MARY BENNETT to this point should prove without any doubt her children, at least those that reached maturity, and certainly establishes the identity of THOMAS WILLOUGHBY of the SOUTHERN BRANCH who seems to have been a question mark in most published records of the WILLOUGHBY FAMILY.

A THOMAS WILLOUGHBY of BARBADOS BWI = ELIZABETH _____
He was buried in 1648/9, March, in the Parish of St. Michaels, Barbados.
He left a son EDWARD Administrator of his estate and the relict ELIZABETH.

If this ELIZABETH, the relict of the above THOMAS WILLOUGHBY was a MIDDLETON
we may have the father and mother of CAPT. THOMAS WILLOUGHBY of VIRGINIA.

Proof is needed of her maiden name.

CAPT. THOMAS WILLOUGHBY (named his only daughter ELIZABETH)
b ca 1601 - he was 23 years old in 1624.
d before Apr 1657 in ALHALOWES, BARKING, LONDON, ENGLAND (Is there a Parish
1610 He came to Virginia in the ship "Prosperous". Register)

1627 - aged 27 "of ROCHESTER, ENGLAND" - He was returning to Virginia from
England.

1644-1647 Merchant of RED LYON ALLEY, ST. BOTOLPH, ALGATE, LONDON, ENGLAND.

His wife may have been ALICE . Could she have been ALICE LAYTON daughter of
JOHN LAYTON and ANN BURRAS maid servant to MISTRESS FORREST. John and Ann
Burras were the first English Marriage on American soil in 1608 in Virginia.
CAPT. THOMAS WILLOUGHBY and JOHN LAYTON were neighbors in Elizabeth City
County, Va. on the North side of the James River in the 1620s.

CAPT. WILLOUGHBY died before Apr 1657 leaving an estate in Barbados. His
NEPHEW THOMAS MIDDLETON, ESQ. was made Administrator of his estate for the
use of the children, THOMAS & ELIZABETH now beyond the seas.

CAPT. WILLOUGHBY's son THOMAS was made administrator of his father's estate
in Virginia in 1658. His father having deceased in England. This son was
born in 1632 which gives a clue to the possible marriage date of his father.
Thomas II attended the Merchant Taylor's School in England. ELIZABETH, the
daughter may have been the eldest as she married before her brother which may
mean that the father married before or by 1628-1630.

Out of an 18 year span CAPT. WILLOUGHBY spent 12 years out of the Colony of
Virginia, and much of the time was in England, and possibly Barbados. He is
not on the list of Commissioners or Justices of Lower Norfolk County appointed
by Sir. Wm. Berkeley, however, each time he returned to Virginia he presided
as Justice at each Court and was a Burgess for most of the time that he spent
in Virginia.

SIR THOMAS MIDDLETON

- 1618/19 - Adventurer to Virginia with Va. London Company (3 VC85 & Stith)
- 1619/20 - "one of the best seats is already planted by CAPT. MATHEWS for the use of SIR THOMAS MIDDLETON & ALDERMAN JOHNSON (one of two seats) most convenient and likely to prove the most beneficial for the COLLEGE (at HENRICO). (3 VC 264)
- 1619/20 - 23 Mar will of NICHOLAS FERRAR Citizen and Skinner of London probated 4 Apr 1620 - ..."COMPANY OF SKINNERS whereof I am a brother, friend, & sometime partner, SIR THOMAS MIDDLETON, friends MR. HUGH MIDDLETON, MRS. ANNA MIDDLETON widow, et als (P.C.C. Soame)
- 22 Jun 1620 - On a list of Adventurers (Va. Co. of London) with their several amounts adventured. (3 VC 329-332, 335, 339-340.)
- | | | | |
|--|---------|--------------------------|---------|
| NICHOLAS FERRAR | £ 50 | SIR THOMAS MIDDLETON | £ 62/10 |
| JOHN LANGLEY | £ 25 | ROBERT MIDDLETON | £ 37/10 |
| JOHN FERRAR | £ 12/10 | JOHN MIDDLETON | £ 6/5 |
| <u>JOHN ROBINSON</u> | £ 75 | FRANCIS MIDDLETON | £ 12/10 |
| <u>SIR PERCIVAL WILLOUGHBY</u> | £ 50 | PHILIP, EARL OF PEMBROKE | £ 120 |
| WILLIAM, EARL OF PEMBROKE £ 400 (THE EARLS OF P. are HERBERTS) | | | |
- 15 Apr 1623 - Letter from CAPT: KENDALL, SOMERS ISLANDS to SIR EDWIN SANDYS in London...."MIDDLETON & HUMTERYES are sufficiently supplied if we send them four boyes a peice. They had ill success with those they brought. (4 VC 121)
- May 1623 - On a list of names of divers Knights, Citizens & Burgesses of the Lower House of Commons that are Adventurers and free of the Virginia Company and yett have not had nor followed the business for sundry years. SIR TH: MIDDLETON, SIR OLIVER CROMWELL, et als..(4 VC 157)
- +++++
- 1638 - CAPT: THOMAS MIDDLETON & CHRISTOPHER MIDDLETON are landed proprietors in Barbados. (Hutchinson)
- 1644 - 1673 - There are Counter Deeds in Barbados of THOMAS MIDDLETON.
- 1647 - The Ship "Nonesuch" CAPT: MIDDLETON, MASTER arrived at Antiqua, which gave the name to Nonesuch Harbor, where he anchored. This was one of 3 vessels fitted out from England by COL. THOMAS MODDIFORD who had intended settling there, but having been driven by bad weather to BARBADOS he purchased an estate there. (Hist of Antiqua 1 p xx)
- 13 Feb 1659 - Recorded 18 Jan 1660 in Norfolk County, Virginia (Dp285) - "I, THOMAS WILLOUGHBY of ye BARBADOS, Marriner, Agent & Factor in principal unto THOMAS MODYFORD & COMPANY have made &c.... appoint THOMAS WILLOUGHBY (II) of Virginia, Gent., to be my true and lawful attorney." THOMAS MODYFORD died Sep 1679, had been married 29 years in 1668 (so born ca 1620). He was called SIR THOS: BARRONET, former Governor of Jamaica where his tombstone is. (Jam 1125)
- In a Deed signed 11 Nov 1648 Entered 18 april 1659 (Barbados Deeds) THOMAS MIDDLETON ESQ. is described as belonging to SAINT LEONARD'S, BROMLEY co. MIDDLESEX, ENGLAND appointed ROBERT OVERBARY, a citizen and carpenter of LONDON as his agent in the trade of a carpenter for four years in BARBADOS.
- Between 1663 - 1679 THOS: MIDDLEMORE sailed from Bristol, England destination BARBADOS. (Bristol 120)
- April 1657 - THOMAS WILLOUGHBY, decd. - Administration to his nephew THO: MIDDLETON ESQ. THOMAS WILLOUGHBY late of Virginia, but in ALHALOWES BARKING, LONDON, ENGLAND to the use of THO: & ELIZ: WILLOUGHBY ye children now beyond the Seas. (Caribbeana vol 5 folio 81, p 205)
- 5 Dec 1672 - entered 15 Mar 1672/3 THOMAS MIDDLETON of LONDON, in his will, wife - ELIZABETH, in London, Son BENJAMIN "all his plantations in BARBADOS, NEW ENGLAND & ANTIQUA. (Hutchinson, Barbados)

JOHN HERBERT II SON OF JOHN HERBERT ALIAS WILKINSON, THE EMIGRANT

b betw 1656 - 1658 (4 DB 40)
wd no date wp 21 May 1679 by
FRANCIS LAKE & HENRY DALE
(4 DB 50a)

= betw 1672-1677 (4 DB 22a)

HANNAH (JOHANNA) HORNE

daughter of THOMAS HORNE
as her 2nd husband
b bef 1645 (4 DB 22,52; D 343)
d by 1682 Not named in Division of father in law's estate.

she = (1) bef 1661 (E 197,291)

ABEL fFEWELLIN alias LLEWELLYN

b bef 1641 (E 44,92,120,121,147)
d probably ca 1672 (E 120)
Hannah, his power of attorney in 1672.

Abell transported 1663 Certificate to Her Grandmother, Joane Yates (D 360a)

she = (3) betw 1679 - 1682
No issue

HENRY DALE/DEALL/ DEALE

b ca 1661-1664 (9 p 569)
wd 21 Oct 1716 wp 18 Jan 1716/7
"Orphans of John Herbert, dec'd.
now living at Henry Dale's"
(5 DB 160)

In his will he names "my grandson HENRY HERBERT (his step-grandson) & son THOMAS HERBERT" (step-son)ISSUE see Chart I)
he = (2) bef 1687

(Her Father's will D 270)

FRANCES BALLENTINE dau of

George & Frances Yates
b betw 1664 - 1677 (Win')
wd 14 Nov 1733 wp 18 Jan 1733/4

RICHARD HERBERT

b betw Jan & Jul 1670 (5 WB 23,231)
Nun wd 2 Mar 1691/2
wp 15 Jan 1693/4 (5 DB 231)
d. s. p. unmarried
He left his entire estate to his brother, Thomas Willoughby.

THOMAS WILLOUGHBY son of Mary

Bennett & Thomas Willoughby II
b betw 15 Nov - 15 Dec 1654
(C 96a, 97, 110)

wd 4 Jan wp 16 Mar 1710/11
= ca 1674 or after

WIFE NOT NAMED IN HIS WILL

EDWARD LLEWELLYN

b betw 1659 - 1661 (5 DB 225)
Underage in (18 yrs) 1677 (4 DB 22a)
(see H p 260)

RICHARD LLEWELLYN

b betw 1659 - 1661 (4 DB 22a; 5DB 225)
wd 20 Oct 1722 wp 18 May 1723 (H260)

MARY LLEWELLYN

b after 1661 under 16 in 1677
(4 DB 22a)

The three Llewellyn children above were to inherit the estate of John Herbert II in the event of the death of his wife and children.

JOHN HERBERT III of Princess Anne Co.
b ca 1677/8 Under age in Father's will.

wd 24 Apr 1728 wp 7 Aug 1728
(4 D & W 201 PAco)

= (1) ? ca 1702

? ELIZABETH MAYO, single woman petitioner... says that JOHN HERBERT is father of her child. (1 MB350 Pac)
Maybe John did marry her for his will certainly sounds like the son
Richard was the son of a first wife.
He did = bef Mar 1705/6 (7 DB 116 Nc)
ELIZABETH WILLOUGHBY

b prob 1693 or bef (his 1/2 first cousin)

Inventory 1728 (4 DB 207 PAco)
See also 1721 (OB 170,171 PAco)

THOMAS HERBERT I of Southern Branch

b 1679 Posthumous
1730 Tithable of Norfolk County
wd 17 Jun 1749 wp 19 Oct 1749 (H260)
= bef 1716

MARGARET MARKHAM dau of JOHN

b bef 1694 (5 DB 219)
Original wd 9 Dec 1749
wp Jan Court 1749/50
She was Gr-dau of Richard & Frances (Yates) Markham & step Gr-dau of George Ballentine (D90,343, 6 DB 206)

SEE HERBERT IN VIRGINIA - CHART # I

JOHN HERBERT II

wd 1679 wp 21 May 1679 by fFRANCIS LAKE (LEAKE) & HENRY DEALE (4 DB 50)
Exor: did not name one, but did say "I doe impower my brother, Thomas Willoughby to see that my children are nott wronged."

"The last will and testament of Jno Herbert in the yeare of our Lord God 1679. Lying dangerously sick upon his death bed bequeathed his soule to Christ and his body to ye Earth.

I doe give unto my deare sonne: JNO: HERBERT halfe my land, and if the other be a boy to have ye other halfe, and if nott John Herbert to have it all, and also a gunn & a Cutlas to my deare son JOHN and I give unto my beloved wife all my whole estate as long as shee ^{divided} lives a wid^o and after shee is marryed the estate is to bee Equally/amongst my two children and if the wid^o & John's two children dyes then I doe give it to Richard Lewellyn and Edward Llewellyn, and to be divided between them, and furthermore I doe desire that my sonne Jn^o may be att eighteen years of age, and to enjoy his estate and if the other be a boy to be att age att eightene years and to enjoy his Estate, butt if it bee a girle shee is to bee att age att sixteene and to enjoy her estate and furthermore I doe impower my brother Tho. Willoughby to see that my Children are nott wronged.

Wit: THOMAS (T) WILLOUGHBY
ffRA: LAKE (Leake)

Proved in Court by the oaths of
fFRANCIS LAKE & HENRY DALE 21 May 1679
Teste: WM: PORTEN ClCur:

JNO: (his W mark) HERBERT
A seale (of?) the sd Gent:

(NOTE: His mark, W, is for his
father's alias of Wilkinson no
doubt) (4 DB 50 Nco)

INVENTORY OF JOHN HERBERT - An Inventory of soe much of the Estate of JNO: HERBERT as was presented unto us to bee appraised which being done according to the best of our Judgmt: as wittness our hands this 31 May 1679:

Seaven head of Hoggs 800; two Cows & their Calves 900	1700
Seaven barrells att 25 p bll 175, one great chest 120	295
Lightwood Red Splitt? 350; a pcell of Earthenware 120	470
one pcell of Iron tooles 220; two Iron potts, one Iron kettle	
	two frying panns 180 400
two stocks of bees 200; one old bed & blanketts 120	320
one old Canoe 80; old lumber 220	300
	£ 3485

Item: Six head of Catle that doth belong to the sd Estate that is not apraised

Sworn to in Court by HANNAH HERBERT to bee
a trueInventory, her wearing cloathes and
some things made up for her children Excepted
15 Aug 1679.

JNO: PRESCOTT
ROGER HODGES
DANIELL (MARK) MACFASSON
THOMAS (MARK) RICHESON

Teste: WM: PORTEN ClCur

JOHN HERBERT III SON OF JOHN HERBERT & HANNAH (HORNE) LEWELLEN
of Princess Anne County

b ca 1677/78 under age in Father's 1679 will.

wd 24 Apr 1728 wp 7 Aug 1728 (4 D&W 201 PAc)

Did he marry (1) ca 1702

?ELIZABETH MAYO, single woman petitioner.....

says that John Herbert is father of her child.

(1 MB 350 PAc) John's will seems to indicate

that his son Richard was by a first wife. (AGW)

He did = bef Mar 1705/6 (7 DB 116 Nco) His 1/2 first cousin

ELIZABETH WILLOUGHBY dau of Thomas Willoughby.

b prob 1693 or beforeInventory 1728 (4 DB 207 PAc)

Deed Dated 14 Nov 1698 Recorded (part missing) -ov 1698 (Most of the left hand
side of this page is missing. (6 DB 143,144 Nc)

..... whome these presents shall come Know ye that I JNO: HERBERT of
..... me hereunto moving ---- ---- for the love
.....o: WILLOUGHBY SENR: of ye sd County In consideration of Exchang
..... whereas my Grandfather by will baring date ye 15 Jan^{ry}
..... of Land adjoyning to DEEP CREEKE & GOOSE CREEKE unto THO:
..... branch of ELIZABETH RIVER & Supposed the default was in the
..... ot to mention it to his heires it being also laid out & by Estemacon
..... Now knowe ye that I the said JOHN HERBERT being the right &
..... (gr)andfather & father JOHN HERBERTS decd. For the causes aforesaid
..... Deliver by these presents, from mee & my heires forever
.....(Willough)hby & to his heires forever Every parte & parcell of the sd land
..... he now (lives on?) & that is adjoyning that he now holds with
..... appurtenances, priviledges, ----- and to the true intent to
..... ----- no ----- may arise in Law by Querks or Quillots?
.....HERBERT ----- my heires & until the aforesaid
T..... heires or assigns forever in the penial? Sum of one
hun..... to bee well & truly paid by mee & my heires & unto the
said or assigns upon the first lett, hindrance or disturbance
of the heires or assigns & I being the right heire of the sd land
and Now acknowledge to have sold him the said THO: WILLOUGHBY
To have forever the said land, according, to true intent &
mean---..... within menconed as Wittness my hand this 14 Nov 1698.

Signed Seal.....

JOHN HERBERT & SEALE

in presence.....

Acknowledged in Court -- Nov

WM: M-----

.....Ordered to be recorded

MARY (M) -----

These two names look exactly like the Deed Willoughby to Herbert on p 144a

WILLOUGHBY DEED TO HERBERT 1698

(6 DB 144 or 144a)

This page is torn - right hand side completely missing:

Knowe all men by these presents.....
to my COZEN JNO: HERBERT for
Doe acknowledge to have sold.....
unto JOHN HERBERT & to his heires.....
certaine tract of land that w.....
Supposed to have been given.....
dated 15 Janry 1669 and for(this is date of John Herbert I's will....
forever; I bind my self & h.....

John Herbert III

for his peacabley enjoymt of.....
Disturbance or Molestacon of
& seale this 19th November.....

Wit:

WM: MAUND & MARY (her M mark) CULPEPPER

Ack.....

7 Mar 1705/6 Recorded 20 Mar 1705/6

(7 DB 116 Nc)

.....Know ye that I JOHN HERBERT Of the County of Lower Norfolk together with ye consent of ELIZABETH my wife for divers good causes & consideracons of ye love and affection we beare unto our brother THOMAS HERBERT of ye same county doe give, assigne, transfer and make over all right, title & interest that might in any wayes belong to us in & to a tract of land of 150 acres laid out of a greater dividnt to the which JOHN HERBERT is HEIR AT LAW the which 150 acres was given to the sd THOMAS HERBERT by my father JOHN HERBERT late of ye said Countie deceased without nominating to the sd THOMAS HERBERT & to his heirs and ye said Land being laid out to yd sd THOMAS HERBERT that being now possessed with it and having an estate in ye land but during life I ye sd JOHN HERBERT together with ye consent of ELIZABETH my wife doe freely give and make over unto ye sd THOMAS HERBERT freely, clearly & absolutely but in case ye sd THOMAS HERBERT should die without such lawful issue then ye sd land to revert to ye sd JOHN HERBERT.....
..... 7 Mar 1705/6

JOHN HERBERT

Wit: JOHN fFEREBBEE Deputy ClCur

ELIZABETH (HER MARK) HERBERT

Acknowledged in Court 15 Mar 1705/6 by JOHN HERBERT & ordered to be recorded.

ELIZABETH HERBERT acknowledges her relinquishment of right of Dower.

Teste: JNO: fFEREBE DCC

Recorded ye 20 Mar 1705/6 Teste JNO: fFEREBE DCC

14 Sep 1721 Recorded 16 Sep 1721 Lease

(OAW 1719-1723 pp 170,171 Nco)

15 Sep 1721 Recorded 16 Sep 1721 Release

This indenture between JOHN HARBUTT of Norfolk County in Virginia, Gent: of the one part and THOS: HARBUTT of the other part witnesseth that the said JOHN HARBETT for and in consideration of the sum of £ 26 to him in hand paid before the signing, sealing and delivering of these presents of and from the said sum of £ 26 for all which money they do by these presents acknowledge the receipt and to be therewith fully satisfied and paid and do exonerate and acquit and discharge the said THOS: HARBETT etc? and from every part and parcell thereof and do for the aforesaid sum of money recd; bargain lett and sett over unto the said THOS: HARBETT one certaine tract messuage and tenement of land containing 70 acres more or less with the appurtenances thereof being scituate and lying on the West side of a Creeke commonly called and known by the name of LONG CREEKE in the Southern Branch of Elizabeth River in the county aforesaid being the land that was left unto the said JOHN HARBETT by the last will and testament of his father JOHN HARBETT deceased relation thereunto being had (line left blank)..... and now the said JOHN HARBETT with the free will and consent of his wife doth bargaine lett and sett over unto the said THOS:HARBETT etc? the before mentioned 70 acres of land more or less with all and singular its appurtenances as also all houses gardens orchards fences cornfields pastures and pasture ground with all woods and under woods, waters and watterings with all timber and timber trees; mines and mineralls and all and

every other edifices and priviledges thereunto belonging as also the reversion and reversions &c..... thereof unto the said THOS: HARBETT and unto his heirs &c..... he the said JOHN HARBETT and his wife ELIZABETH doth oblidge themselves acknowledge this deed as also the indenture of lease in open Court of Norfolk County

Sealed signed & delivered
in the presence of us:

JOHN HERBERT & SEALE (sic)
ELIZABETH (X) HERBERT & SEALE

ROBERT TUCKER, FRANCES TUCKER, JOHN WATKINS

NORFOLK COUNTY: Acknowledged in open Court held the 16th of September 1721 by JNO: HERBERT and ELIZABETH his wife and on mocon of THOS: HERBERT is ordered to be recorded.

Teste: SOLO WILSON C1Cur

1721 - JOHN HERBERT, WM: FORMAN, THOS: MESER (MERCER?) THE ELDER, and WM: BARRENTON witnesses to a sale of land, WILLIAM ROE (OR ROSE?) to SAMUEL BOUSH the elder, the land bought of GEORGE SUGGS, 268 acres in the Southern Branch on road from EDMONDS BRIDGE to POCKATY BRIDGE adjoining JOSEPH MILLER & CAPT: WM: BOGSWILL decd.
(F pp 14,14a,15,15a,16,16a)

18 May 1722 - THOMAS LEAKE and ELIZABETH his wife and MARY MAUND his mother, to THOS: CHERRY, 75 acres in Southern Branch adjacent JOHN WHIDDON, TIMOTHY IVES, & JOHN IVES and he sold to RICHARD YATES who gave to his daughter MARY whose heir is THOMAS LEAKE.
(F f 30a)

16 May 1722 - THOS: LAKE (Leake) & ELIZABETH his wife & MARY MAUND his mother, o THOMAS CHERRY, 75 acres in Southern Branch adj. JOHN WHIDDON & TIMOTHY IVES to CYPRESS PONDS, to land formerly JOHN IVES, to KINGS ROAD, part of a patent of 300 acres to JOHN BLAKE, which he transferred to RICHARD YATES who gave it to his daughter MARY and her next heir is THOMAS LAKE.

WIT: ROBERT CANNADAY, FAITHFUL CHERRY & JOSEPH CHERRY

(F ff 37a, 38, 38a)

(See also ff 33-34 - ROBERT CANADY to THOMAS LEAKE and f 39 same to same.)

30 Oct 1723 Recorded 5 Feb 1723/4 - BENJAMIN CUMMINGS lease to JOHN HERBERT. BENJAMIN CUMMINGS and ELIZABETH his wife of Princess Anne County sell to JNO: HERBERT, Ship Carpenter, of Norfolk County, one messuage, tract and plantation of land scituate in BLACK WATER, Princess Anne County, granted to CUMMINGS by Patent for 315 acres whereof was sold to JOHN WARD 80 acres, the remaining 235 acres to JNO: HERBERT.

Witnessed:

JOHN CUMMINGS, HENRY BUTT & ROBERT (RL) LAND

BENJ: CUMMINGS
ELIZABETH CUMMINGS

(3 DB 538-9 PAco)

JOHN WILLOUGHBY of BLACKWATER PRECINCT, PRINCESS ANNE COUNTY
wd 20 Mar 1739 wp 4 Jun 1740 by the oath of JOHN ROGERS a witness and presented in Court by the Executrix.

.....being weak in body..... my last will..... debts to be paid out of my estate. To son THOMAS my plantation whereon I now live, if he die before 21 or without issue, to my eldest daughter ELIZABETH and to her heirs. To my wife, ELIZABETH, to possess during life all the moveable estate, at marriage of after her death, the moveable estate, half to my wife and half to my children, half and half. Wife to have possession of estate until THOMAS is married or 21 years of age. In case of the death of my daughter, ELIZABETH HERBERT, my wife to have possession. Wife named executrix.

WIT: JOHN WILLOUGHBY (5 DB 479 Pac)

ELIZA: CUMMINGS, WM: (W) WILLOUGHBY & JOHN ROGERS

14 Jan ? 1727 Recorded 15 Mar 1727/8 Indenture: JOHN HOBETT of Princess Anne County and THOMAS PRESCOTT of Norfolk County for the sum of 5 shillings to RICHARD JOHNSON of North Carolina one tract or parcell of land being in Norfolk County on ye East side of ye Indian Creek taking its bredth on ye sd creek and running a mile into ye woods bounded on ye West with ye land of THOMAS DAVIS and on ye North East with JAMES WARDINS (or HARDINS) Land appears by a deed of sale made by PHILLIPP HOWARDand Recorded ye sd County Records ye 25 Nov 1706.

Wit:

JOHN HERBERT

EDWARD PORTLOCK & THOMAS BRUCE THOMAS (MARK) PRESCOTT (G f 72 Nco)

(The release of this is on f 73)

JOHN HARBERT III of Princess Anne County = ELIZABETH

wd 24 Apr 1728 wp 7 Aug 1728 by WILLIAM CORBELL & HENRY PHILPOTT

Wit: COR...., Henry (X) & Ph...ott (the names are torn)

... being sick and weak in body.... unto my eldest son RICHARD HARBERT my plantation whereon he now liveth with half that tract of land joyning which lyeth in Norfolk County to him & his heirs lawfully begotten forever.

Unto my son WILLOUGHBY HERBERT my plantation whereon I first & formerly lived in Norfolk County with the one half of that tract of land joyning to the same to him and the heirs of his body lawfully begotten, but for want of such heir to fall to my son PETER HERBERT (sic) & his heirs.

My desire is that if either of my sons before mentioned shall have a desire to sell their land I give them full power to sell the one to the other and no otherwise and if they cannot agree as to the different neighbors Chosen by each party shall set the valuation Partially torn and smeared.....

Unto my son THOMAS HARBERT (sic) my plantation whereon I now live together with as much land joyning to said plantation as will (make?) (up?) 100 acres in Princess Anne County.....

Unto my son JNO: HERBERT all the remainder part of ye said tract of land whereon I now live

And my will and desire is that if either of my sons THOMAS & JOHN HARBERT shall die without heirs that then they shall enjoy the whole tract.

Unto my son WILLOUGHBY HERBERT my negro man called Bell

Unto my son PETER HERBERT my negro man called Dayger.

My sons shall all be at full age at eighteen years old to receive their portions.....

Unto my daughter ELIZABETH BATCHELER 1 feather bed & furniture.

Unto my daughter MARY SUGGS 1 feather bed & 1 cove & yearling which she hath in possession.

My will and desire is that all ye remainder of my Estate both personall & reall wherein whose hands So ever after my Just Debts paid shall be Equally divided between my Dear wellbeloved wife ELIZABETH HARBERT & my sons THOMAS, JOHN, WILLOUGHBY & PETER HARBERTS & my daughters DINAH, MARGRET, VIOLET, & ANN HARBERTS but my desire is that if my wife should remain unmarried she shall have & keep to herself all this remaining part of my Estate which is to be divided untill the youngest of them which shall live shall come to age: but if she shall marry then their(sic) shall be an equal division made amongst them as aforesaid my wife keeping her own part & her childrens & my son THOMAS to take his own part & the other his young brothers and sisters not until they come (of) age.....

JNO: HARBERT & SEALE

The way this will is worded leads me to believe that John did marry Elizabeth Mayo and that Richard was the child she bore him and he married second Elizabeth Willoughby. AGW

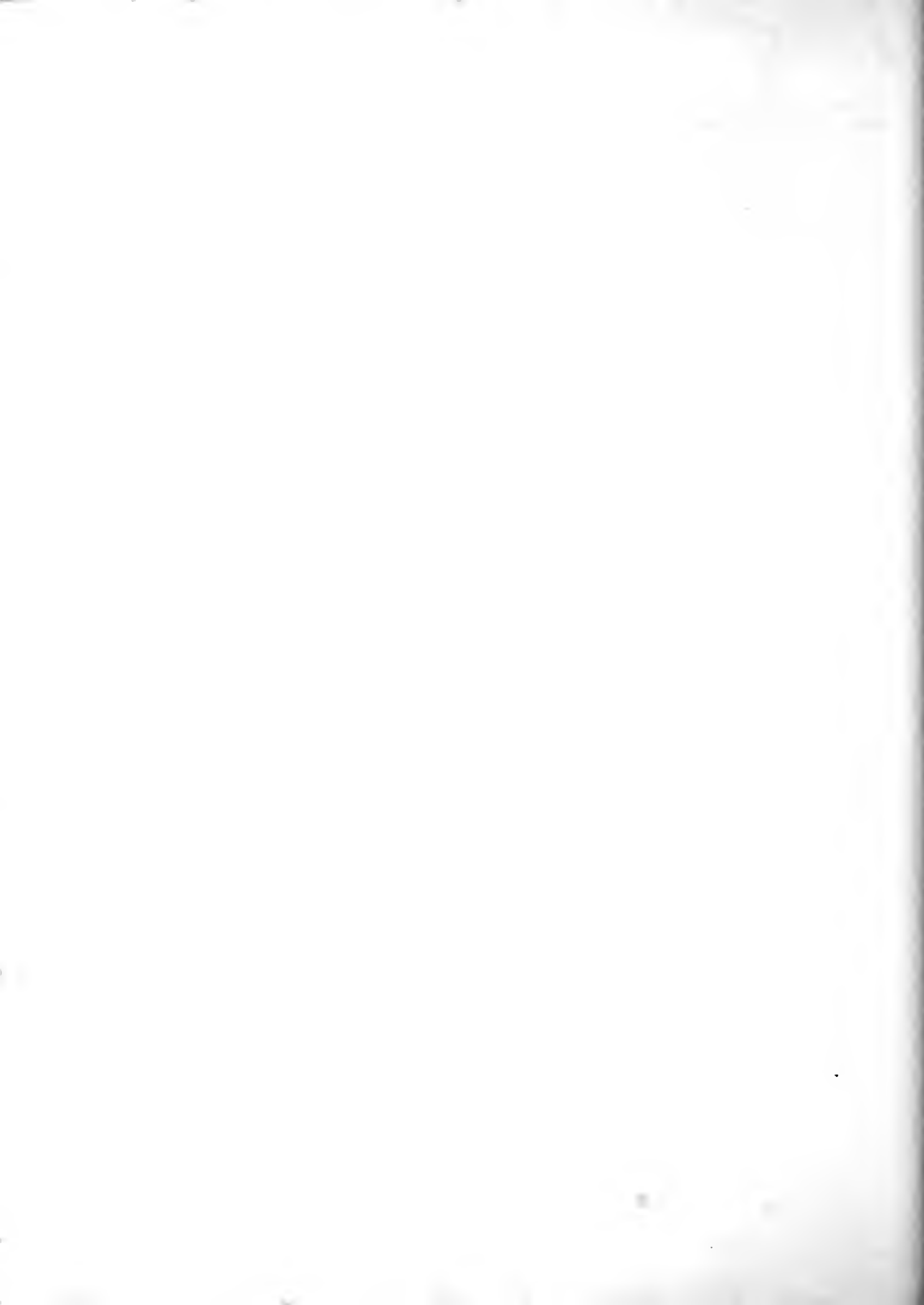
A true INVENTORY of the Estate of MR. JOHN HARBERT of Princess Anne County decd. Dated 26 Sep 1728 - Presented in Court by the Extrz: 2 Oct 1728 & ordered to be recorded.

(signed by) ELIZA: (X) HERBERT

One horse about ten years old, three cows about one about twelve another about nine another about eight year of age, three other cows one of them with calf two about three years old & one about five year old, three yearlings, ---- calves, two sows, each four year old, other three sows about three years old, other two sows about two years old, eleven shoats, three sheep one ewe on----- ther Ram young Eleven Geese & ganders, one featherbed good feathers but very old ---- two: ozembergs sheets pritty good, one pritty good rugg, two good pillows & cases, one ---- bedstead good, w--- mat & old cord, another bed good feathers & good tick homemade, one good rugg one very sorry sheet, two good pillows without cases, one trundle bedstead good, & old matt & cord, one old Cat Taile bed & old rugg, Six large pewter plates one small Di--- four without rims - Ditto pewter three old pewter basons two of them large, four years old pewter dishes large, two earthen punch bowls, two earthen dishes, two earthen pitchers, one doz. & ten pewter spoons, five year old wooden trayes, one dozen trenchers, one table with a Drawer, one cupboard and one small square table, two old trunks large with locks & keys one of them with drawers - locks & keys, one old chest, two water pailles, two piggins, one washing tub one old piggin four knives & six forkd, fourteen glass bottels, eight chairs, two linen wheels one good, one very indifferent, one woollen wheel pritty good, Iron pot very good, gt: seven gallons, one Ditto four gallons, one old Ditto two gallons, one new Iron Kittle gt. one gallon two p--- pothooks, two Iron pot hangers, one grindstone large, one box Iron, fourty three pds old Iron two salt selers one mustard cup all pewter; two brass Candlesticks, one Candle Snuffer brass all old, a beam of an old pr Scales, three old Caske gt: one crescent saw, one hundred gallons each, one barrel, one palentine mill, one whip saw, one hand saw all old & two makeing irons, two corking irons, two augers, two fat pots Earthen: two Iron wedges, one Iron Sledgemall, one bedstead, one old saddle & bridle, two old chisels, one speak iron, two adzes, one gun, one cut-lace, four gimblets, one Iron pestle & pr old fire tongs, three weavers Slaves, one pr: gears, one Loom, thre Shuttels,.....

two hanuners?. three files, one rundlet, ELIZ: (HER MARK) HERBERT
one old frying pan, six old hoes, five old axes.

(4 D & W 207 PAco)



JOHN HERBERT V SON OF JOHN AND ELIZABETH (WILLOUGHBY) HERBERT

b of Norfolk County and the Parrish of Portsmouth
wd 10 Nov 1803 wp 18 Jan 1808 by JESSE NICHOLSON
Codicile dated 7 Aug 1807 pvd by JESSE NICHOLSON & ARMISTEAD S. HOPKINS
Wit: JESSE NICHOLSON, JAMES HAMILTON, ARMSTED S. HOPKINS, THOMAS CONNER to
codicile
Wit: to will JESSE NICHOLSON, SHELDEN TOOMER, THOMAS OWENS
Exors: "my sons" WM: B. HERBERT, NATHANIEL HERBERT, sons-in-law THOMAS NASH
and WILLIAM NASH.

...I JOHN HERBERT of the County of Norfolk, State of Virginia and Parrish of
Portsmouth being weak of body

I lend unto my daughter in law LYDIA HERBERT during her widowhood one negro
woman named Rose, Negro boy named Teakel, Negro boy named Moses and a Negro
girl named Mary Ann, one bed and furniture and one cow all of which is now in
the possession of said LYDIA HERBERT, but at the death or marriage of my said
daughter in law, LYDIA HERBERT then the above lent property I will and desire
should be equally divided among the Children of my deceased son ARTHUR HERBERT
to them and their heirs forever.

... unto my son WILLIAM B. HERBERT 50 acres of Land more or less being the
land I bought of THOMAS CULPEPPER situate and lying at the head of Deep Creek
..... one negro man named Tom, one negro woman named Hannah and her following
children as follows to wit: John, Tom, Nancy and Airy and their increase, also
one Cow and Calf, one bed and furniture, one square folding Walnut table, the
saw mill, Iron works, also one hundred sixteen pounds, the whole of the proper-
ty as above given to the said WM: B. HERBERT is now in his the said WM: B.
HERBERTS possession [except the the first mentioned negro man Tom].....

... unto my son NATHANIEL HERBERT the land and plantation whereon I now
live by estimation 90 acres more or less with the appurtenances thereunto
belonging provided he the said NATHANIEL shall pay to the rest of my Heirs
one thousand dollars..... one negro boy named Jack commonly called young
Jack, one woman Lydia and her children, or two sons America and Quash, and one
negro girl Nancy daughter of Cate with their increase, one cow and calf, one
Carrylog and chains, one walnut desk and bookcase and all my books, one bed
and furniture, one large chest to him and his heirs forever.

Now my will and desire is that my son NATHANIEL should have his equal pro-
portion of the above thousand dollars which he is to pay in consideration of
possession of the Maner Plantation to be deducted from the said thousand
dollars, when a division of my estate that is not willed away shall take place
the said NATHANIEL to pay the said thousand dollars after deducting his part
therefrom within one year after my decease.

... I lend to my daughter ANN FEREBEE 3 negroes namely London, Rachel, and
Jenny [children of my negro woman Cate] during her natural life. If my daugh-
ter ANN FEREBEE should have no children, heirs of her body, I then will and
desire that the said negroes and their increase should be equally divided
among my children and grand-children, my grand children only possessing what
their parent might do were they living. I give without reserve unto my said
daughter ANN FEREBEE one hundred dollars from money arising out of my estate
not willed away in case my said daughter should live to see a division of my
estate.

... unto my daughter ELIZABETH NASH, one negro man named George, one negro
woman named Mole and her children, Jeffrey, Grace and Juley, one Cow and Calf,
one bed and furniture, which is now in the said ELIZABETH NASHS possession.
Also I lend unto my said daughter ELIZABETH NASH, one negro man named Ned which
is in my possession the said Negro Ned at the death of my said daughter to be
disposed as my said daughter shall please.

... I lend (during her natural life) unto my daughter FANNY BUTT one negro woman named Bridget with her children, Sam, Sylvia, Tab, John and Courtney, and their increase, Also twenty five pounds cash, one bed and furniture and one pine buffett the whole being already in her possession, also I lend upon the said terms as the other negroes lent unto said daughter FANNY BUTT one negro man named James [which is now in her possession] but do bequeath and give unto the heirs of her body all the aforesaid negroes lent to her to them and their heirs forever.

... I give ... unto my daughter ABIGALE NASH, one negro woman Nan and her children, James, Tom, Barbara and Rose being already in the possession of my said daughter, one negro man named Peter [which is in my possession] said Peter being the son of my negro woman Tab; with the increase forever, one bed and furniture with the curtains, five silver Tea spoons, three silver Table spoons and one silver soup spoon. Also I give unto my said ABIGALE the piece of land on the Point being a part of the land I bought of MARCOM HERBERT and whereon my son-in-law WM: NASH now lives also one share of the Land sold for the use of the deceased THOMAS HERBERTS HEIRS.

... unto my grandson JOHN HERBERT (VII, son of my deceased son JOHN HERBERT (VI), one negro named Tom already in the possession of my said grandson.

Lastly, my will and desire is that my Executors [hereafter mentioned] sell the piece of land joining to the plantation whereon I now live, being the land I bought of MARCOM HERBERT [except that part on the Point, already given to my daughter ABIGAIL NASH] and the money arising from such sale be divided [as the rest of my estate not already willed must be] equally among my children [except my daughter ANN FEREBEE, which is provided for to my satisfaction as above] and Grandchildren in the following order ie my grandchildren only possession the share that their parents might have, were they living, I say that the whole of my estate not willed of whatever kind [mentioning only the negroes to wit: Carlton, Neero, Tab, Sylvia and her son John Hill, Rachel daughter of Rose, Cate and her children Neero &c] after my just debts are paid be divided as above mentioned.

I do hereby nominate and appoint as my lawful Executors to this my last will and testament my sons WILLIAM B. HERBERT & NATHANIEL HERBERT, my sons-in-law THOMAS NASH and WILLIAM NASH.....

CODICILE: NB. I do hereby declare the following to be a part of my foregoing will and testament:..... unto my grandson [son of RICHARD HERBERT decd.] one negro boy named Daniel, son of my negro woman Cate.....also unto my grandson RICHARD HERBERT son of the said deceased RICHARD HERBERT, one negro boy named Georgie, son of my said negro woman Cate.....

.. again I give unto my grand daughter POLLY TATEM formerly POLLY NASH one negro girl named Mariah, daughter of my said negro woman Cate.....

Lastly I do request of my before mentioned Executors to grant to my two old negroes Tarlton and Tabb the privilege of living with which of my children they chuse, the children with whom they may chuse to live with paying their valuation if valued to any sum.

18 Jan 1808 ... proved and on the motion of NATHANIEL HERBERT one of the Executors.....made oath according to law and together with THOMAS BROOKS, JOHN COLLINS, JAMES TATEM, WILLI WILLIAMS and JOHN E. BUTT his securities entered into and acknowledged their bond in the penalty of \$20,000....certificate is granted him for obtaining probate....liberty being reserved for the other exors ... to join in the probate when they shall think fitt and at a Court 12 Feb 1808 will further proved by oath of THOMAS OWENS.....

CAPT. THOMAS HERBERT MARINER OF THE SOUTHERN BRANCH, SON OF JOHN II

b 1679 posthumous He was a 1730 Tithable of Norfolk County
wd 17 Jun 1749 wp 19 Oct 1749 by WINFIELD DALE, WILLIAM PORTLOCK & JOHN WHIDDON
The other witness, SIMON PORTLOCK did not prove the will. (H 260 Nc)
Exors: wife MARGARET & sons MARCOM & THOMAS. This is the Original Will which
has a wax seal of a coat of arms.
= bef 1716 THESE TWO WILLS PROVE THE
MARGARET MARKHAM dau of John & Margaret FOLLOWING CHILDREN AND GRANDCHILDREN
b bef 1694 (5 DB 219) HANNAH HERBERT
wd 9 Dec 1749 wp Jan Court 1749/50 MARY HERBERT
unto my eldest son MARKIUM HERBERT the COURTNEY HERBERT
Plantation on which I now live & i/2 of my JOHN MARKCON HERBERT
land and Old Plantation that formerly be- in Gr-mother's will
longed to my uncle RICHARD HERBERT near
Deep Creek containing about 170 acres....
(NOTE: Richard Herbert left "his whole
estate" to his half-brother Thomas
Willoughby.) one copper still now
standing on my plantation, 12 leather
chairs....one gun a bayonet a pair of pis-
tols and back sword.....
unto my son THOMAS HERBERT NATHANIEL HERBERT
"the land and Plantation he now lives on THOMAS HERBERT
being part of the Land called DIGBYES ELIZABETH HERBERT
runing up a large flatt Creek to THOMAS
EDWARDS his corner tree the said Creek
dividing this land from the land I do
give my son HENRY HERBERT.....
unto my son HENRY HERBERT the land and Plantation called Basit with part of the
land called DIGBYES being the land that he now lives on running up a line of marked
trees to the Land I bought of RICHARD BALLENTINE and running up that line to my
corner tree adjoining upon the land of CAPT: WM: BUSTEN runing from the said corner
tree down to a small branch being part of the land that I bought of RICHARD BALLEN-
TINE so runing down the branch.....and the remaining part of sd land I give to my
son THOMAS HERBERT. Margaret's will gives her grandson JAMES HERBERT
unto my son JOHN HERBERT MARGARET HERBERT
a small Plantation with the woodland THE NEXT HEIR OF MY SON JOHN
ground thereto belonging which I came by
my father known by the name of POINT OF
MARSH being at the mouth of Julians Creek so up the River to a line of mkd trees
dividing this land from the land I gave to my son WILLIAM so along a line runing
nigh SW so far as my land extends being a line already made & marked.
unto my son WILLIAM HERBERT the land and Plantation he now lives on which I
bought of my brother (JOHN) being the remainder of my land lying between the land
I gave my son JOHN and the River towards the Deep Creek.....(NOTE: see OAW 1719-
1723 pp 170,171 - JOHN & ELIZABETH HERBERT to THOMAS HERBERT dated 14 Sep 1721.
"70 acres of land lying on the West side of a Creek called Long Creek in the
Southern Branch of Elizabeth River....being the land that was left unto sd JOHN
by the last will and testament of his father JOHN HERBERT (II)"
and 1/2 the land formerly belonging to his father's uncle RICHARD HERBERT, the
other 1/2 went to MARKHAM see above. (see Chart WILLIAM HERBERT & ISSUE)
unto my son HILLERY the land that I bought of JAMES JOLLY being 100 acres more of
less lying on the South side of Paradise Creek.....(see Indenture Eye pp 84,85)
one dozen Virginia chairs.

unto my daughter MARGARET TUCKER one lott of land in NEWTOWN joyning the lott of
WM: GODFREY.....six negroes....

THOMAS (X) HERBERT & SEAL

WILLIAM HERBERT son of THOMAS HERBERT 1 & MARGARET MARKHAM

b bef 1724 d betwn. 1781-1784 (2WB193 Nco)
= 29 Dec 1742 (3N 79 & Win²)

JANET CAWSON

b ca 1726 posthumously (2 f 194 Nco)
d & 3N79)

REUBIN HERBERT JR.

PETER HERBERT

JOSEPH HERBERT

MARTHA HERBERT

FRANCES HERBERT

MARY HERBERT

JENNET HERBERT

BETTY HERBERT

WILLIAM HERBERT

b d
Exor of his father's will

REUBIN HERBERT

b d (32DB 132 & 33 DB 93)
= bef 1783

BETTY SPARROW dau of PETER

b d

SAMUEL HERBERT

JOSIAH HERBERT

not in his father's will
wd 1775 No probate (2 WB 91) d vita patris - NO ISSUE

EDWARD HERBERT - in Josiah's will

= They were later in Maryland

NANCY

ROBERT HERBERT - in Josiah's will

ABIGAIL HERBERT - in Gr-Mothers will

b bef 1749 not in father's will
d bef 1781

JENNET HERBERT = (1) 11 Nov 1774 PAUL OWENS (Win²) His will 1787 Nco.
= (2) Dec 1787 WILLIAM BUNTING Surety EDW: HERBERT

MARTHA HERBERT

Her father called her Martha Herbert in 1781

WHO WAS: MARTHA HERBERT

= (1) 15 Nov 1764 = CAPT. EDWARD DAVIDSON

= (2) 30 Dec 1779 = CHARLES ODEON - his inventory 1795

THE COAT OF ARMS ON THOMAS HERBERT'S 1749 WILL

On the 28 January 1973 Mr. Francis Leeson of the Surname Archive, 108 Sea Lane, Ferring, Sussex, England, BN12 5HB concluded his research for your compiler on the coat of arms pictured.

"I have made further investigation into the question of the seal and feel that it undoubtedly represents the royal arms of the House of Hanover, which were used as the seal of Virginia in the reign of George II (1727-60). These were quarterly:

- (1) England impaling Scotland
- (3) Ireland

- (2) France
- (4) Hanover

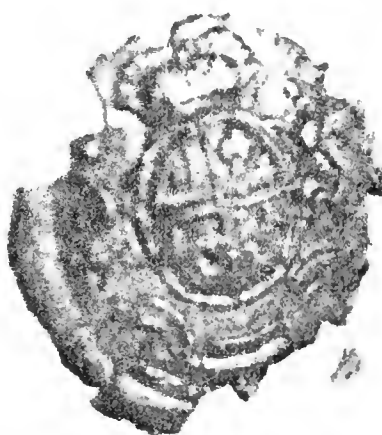
It is the appearance of the Hanover arms in the bottom right quarter that clinches this identification as one can clearly see in the middle of them the Golden Crown of Charlemagne, which is in three segments. The least encouraging quarter is the one for Ireland, but even here there is the fact that the harp on the George II arms comprised a very busty winged figure with sturdy wing tips and scrolling, even at the top right-hand tip of the harp. The lumpiness of the seal in this quarter could quite well be occasioned by this heavy modelling.

As I said before, the crown is a royal one and the supporters and the motto the same as for the Stewart Kings, i. e. a lion rampant guardant on one side and a unicorn argent on the other, with the motto 'Dieu et mon Droit'"

The above should put a stop to any further research on the seal on Thomas Herbert's 1749 will.

In an earlier letter, 12 November 1972, Mr. Leeson said "It was certainly not unusual for people to have their wills sealed with any old seal that was handy, particularly if they were prepared by a scrivener who often had a collection of imposing looking seals which he would use on his clients' wills."

Herbert



DEED - JOHN HERBERT III

..... Know ye that I JOHN HERBERT of the County of Lower Norfolk together with ye consent of ELIZABETH my wife for divers good causes & consideracons of ye love and affection we beare unto our brother THOMAS HERBERT of the same county doe give assigne, transfer make over.....all right title and interest that might in any wayes belong to us in and to a tract of land of 150 acres laid out of a greater dividnt to the which JOHN HERBERT is Heir at Law the which 150 acres was given to the said THOMAS HERBERT by my father JOHN HERBERT late of ye said Countie deceased without nominating to the said THOMAS HERBERT & to his heirs and ye said Land being laid out to ye said THOMAS HERBERT that being now possestwith it and having an estate in ye land but during life I ye said JOHN HERBERT together with the consent of ELIZABETH my wife doe freely give and make over..... unto ye said THOMAS HERBERT freely, clearly & absolutely but in case ye sd THOMAS HERBERT should die without such lawful issue..... then ye said land to revert to ye sd. JOHN HERBERT..... 7 Mar 1705/6.

Wit: JOHN FFEREBBEE (sic)

JOHN HERBERT

ELIZABETH (X) HERBERT

Acknowledged in Court 15 Mar 1705/6 by JOHN HERBERT & ordered to be recorded.
ELIZABETH HERBERT acknowledges her relinauishment of right of dower.

Teste: JNO: FFEREBBEE ClCur

THOMAS HERBERT, Carpenter & wife MARGARET of ye Southern Branch of Elizabeth Parish to EDWARD LLEWELLYN of ye same branch and Parish.

15 May 1709 Acknowledged in Court 16 May 1709 The release 17 May 1709.

...for £ 50 sterling to us in hands paid have sold unto EDWARD LLEWELLYN a devidnt of Land containing 100 acres more or less being the same that the said LLEWELLYN doth now live on being on ye North side of a Creeke known and called by the name of Paradise alias Broad Creek being a branch of the Southern Branch of Elizabeth River in ye county of Norfolk bounded as followeth:

...ve East side with a line of Marked trees dividing it from JNO; BALLENTINES land and on ye South southerly bounded on ye sd Paradise ales Broad Creek.....

Wit: RICHD: LEWELELEN (sic)

THOMAS HERBERT

JNO: BALLENTINE

JNO: PORTLOCK

MARGARET (M) HERBERT (8 DB 66 Nco)

INDENTURE 15 Sep 1738 Recorded 15 Sep 1738

(Book Eye p 223a Nco)

Between THOMAS HERBERT and MARGARET his wife of the one part selling to EDWARD LLEWELLYN son and heir of EDWARD LLEWELLYN of the other part.

Whereas the said THOMAS HERBERT & MARGARET his wife by deeds of lease & release dated 12 May MDCCCLX (1709) by consideration of -(torn)- pounds of current money of Virginia to them in hand paid (EDWARD LEWELLYN) father of the now feoffee had leased bargained and sold &c unto the sd. EDWARD LLEWELLYN his heirs &c one parcel or Divident of land containing 100 acres more or less being the same that the said LLEWELLYN did live on lying situate & being on the North side of a Creek..... called by the name of Paradise Creek alias Broad Creek being a branch of the southern Branch of Elizabeth River in the County of Norfolk as follweth:

on the -(torn)-
side with a line of marked trees & on the North northerly joining to DIGBYS land
then in the Possession of WM: WALLIS & on the West Side Westerly being my line of
marked trees dividing it from JOHN BALLENTINES Land & on the South southerly bound-
ing on the said Paradise Creek alias Broad Creek as in & by the said Deeds.....
as there is no record of the privy Examination of the said MARGARET when she
acknowledged the said -(torn)- whereby the said conveyance is defective.....
to EDWARD LLEWELLYN & his heirs..... only and reserving unto MARGARET LLEWELLYN,
Mother of the Feoffee each Estate right & title in and to the said Land & Premises
to the Deeds of Lease and Release had hath or ought -(torn)-.....

Wit: JAMES NIMMO, PATRICK WHITE SENR: THOMAS HERBERT
WILLIAM NIMMO, JOHN FLEEN/HEEN/ or HUN MARGARET (M) HERBERT

Recorded 15 Sep 1738 CAPT: THOMAS HERBERT & MARGARET his wife being privily
examined &c.....

(Same Book Eye p 224) - S aid EDWARD LLEWELLYN son & Heir of EDWARD LLEWELLING
Feoffee in the mentioned Deeds & to his heirs and Assigns.....
THOMAS HERBERT & SEAL
MARGARET (M) HERBERT & SEAL

INDENTURE: 14th May 1741 The Lease - The release follows on the next page:
15 May 1741 - This Indenture between JAMES MOORE of the Borough of
Norfolk on the one part and THO: HERBERT JUNR: of the County of Norfolk, Car-
penter of the other part. Witnesseth that the said JAMES MOORE in consider-
ation of £ 12 by the said THOMAS HERBERT to him in hand paid...granted
old &c Release & c unto him the said THOMAS HERBERT in his actual
possession now being by Virtue of a Bargain and Sale to him thereof made for
one yearly indenture bearing date the day before the date hereof and by force
of the Statute for transferring uses into possession and to his heirs and
assigns forever all that plantation piece or parcell of land situate lying on
the Eastern Side of the Western Branch of Elizabeth River and joyned to the
land of MR. WILLIAM PORTLOCK on the one side and contains 100 acres be the
same more or less to the most known antient and reputed bounds thereof
being the land the said JAMES MOORE purchased of JONATHAN GODFREY as by Deeds
recorded in Norfolk County Marshes Timber & Trees and.....
WIT: ALEXR: McPHERSON JAMES MOORE & SEAL (Eye pp 127-8)

LEASE 14 May 1741 - RELEASE 15 May 1741 Between JAMES JOLLEY & CAPT: THOMAS
HERBERT of the County of Norfolk.....for and in consideration of £ 40 current
money to him in hand paid by the said THOS: HERBERT the receipt whereof he doth
hereby asknowledge hath given granted &c.....all that parcell of Land con-
taining 112 acres being bounded as followeth: Beginning at a pine near to Broad
Creek and runing thence South 87° West 240 poles to a red oak thence North 31°
East 137 poles to a live oak standing in the head of a Branch which leads out
of the said Broad Creek by its natural bounds to the said Broad Creek & thence
bounding upon the said Broad Creek across another Creek which makes out of the
said Broad Creek back to the beginning according to the pattent granted the said
JOLLEY bearing date the 13 April last past with the Rights &c.....
Wit: ALEXR: McPHERSON & ROBERT HERBERT JAMES JOLLEY (Book Eye pp 84,85)



CAPTAIN MARKHAM HERBERT, SHIPWRIGHT OF NORFOLK COUNTY, VA.

THOMAS³ , JOHN II² , JOHN I¹

(Va. Gen. 7 p6)

b ca or bef 1712 - over 16 on Tithable List for Norfolk Co. in 1730

wd 1 Mar 1761 wp May 1761 Wit: THOMAS HERBERT, JOHN COCK & WM: BAYLEY

EXOR: wife MARY HERBERT

(1 WB 62 Nco)

21 May 1751 - Estate of MARKHAM HERBERT decd. is ordered to be audited

(1760 OB p 94)

= before 1740 (Book I (Eye) p 192 Nco)

MARY WHIDDON DAUGHTER OF JOHN WHIDDON AND HIS FIRST WIFE

b before 1725 (to be married in 1740)

d

1748 - JOHN WHIDDON left his daughter MARY, wife of MARKHAM HERBERT, the dividend of land, with the Plantation thereon, that I bought and purchased of WILLIAM BALLENTINE lying on the SOUTH SIDE of BAY TREE HOLE.

(Bk I p 192 Nco)

28 Sep 1752 - CAPTAIN MARCOM HERBERT of Norfolk County Militia qualified.

(WS 34)

He inherited from his father's 1749 will "land and old plantation which formerly belonged to my Uncle RICHARD HERBERT near DEEP CREEK containing about 170 acres -- 1/2 to MARKHAM and 1/2 to WILLIAM"

(H p 260 Nco)

WILL OF MARKHAM HERBERT:

" to my wife MARY HERBERT the house I now live in and what ground she shall think proper to make use of with Wood and Rail Timber and all other necessities for the said use during her natural life also six negroes viz: Peter, Charles, Bernteo, (Bemko ?) Katherine, Kate and Phillis and all my household furniture and stock within doors and without during her natural life of Widowhood, but in case my wife should marry again then the Negroes to be as follows:

to my son JOHN MARCOM HERBERT the plantation I now live on after the decease of his mother and Peter and Kate at his mothers marriage or decease, but Daniel at my decease, one bed and furniture, one still, one chest of drawers, one large looking glass, one large case of fifteen bottles all which I give to him and his heirs forever.

to my son THOMAS HERBERT one plantation on the East side of the SOUTHERN BRANCH called BAY TREE HOLE, one negro man named Bemko and one Wench named Phillis at the marriage or decease of his mother also one desk, a mare called Flower and one Heifer all which I give to him and his heirs forever.

to my son WHIDDON HERBERT one negro boy named Scipio at the age of 21.

to my son JOSHUA HERBERT one negro boy named Dick at the age of 21.

to my son GEORGE HERBERT one negro man named Charles at the marriage or decease of his mother and one boy named Sam when he comes to the age of 21.

to my daughter COURTNEY HERBERT one negro wench named Katherine at the marriage or decease of her mother and one girl named Dinah at the day of her marriage and one bed and furniture.

to my daughter HANNAH HERBERT one girl named Lettice, one bed and furniture and one looking glass at the day of her marriage if her mother think proper.

to my daughter MARY HERBERT one negro wench named Hannah and child named PHEEBE with the rest of her increase.

to my daughter BETTY HERBERT two negro girls Jenny and Abby.....

My will and desire also is that if my son THOMAS HERBERT should decease without heir that then his land descend to my son WHIDDON HERBERT..... and his negroes to my son JOSHUA HERBERT and his heirs forever and if they all should decease without heir then to descend to the younger children in order and as for my land in DEEP CREEK I appoint it to be sold to the highest bidder also my moveable Estate that is not already given to be sold in the same manner after the decease of my wife, and the money to pay my lawfull debts as far as requires and the remainder to be equally divided between my viz: MARY, WHIDDON, JOSHUA, BETTY, and GEORGE HERBERT.

LAND HOLDINGS

MARKHAM inherited from his father: "land and plantation which formerly belonged to my Uncle RICHARD HERBERT near DEEP CREEK containing about 170 acres." (In his will MARKHAM left his land in DEEP CREEK to be sold. Only 1/2 of the 170 acres were MARKHAMS.)

15 Apr 1762 Rec 14 Jul 1762 - Release dated 16 Apr - DEED - between MARY HERBERT exex of will of MARKHAM HERBERT decd late of Norfolk Co. for the sum of £ 51 in hand paid to said MARY HERBERT.....selling to WILLIAM HERBERT, Ship Carpenter of Norfolk Co.being in his actual possession.....a parcel of land situate &c.....in county of Norfolk and PARISH OF PORTSMOUTH..... 85 acres, it being one moiety of land containing 170 acres formerly the property of WILLOUGHBY HERBERT and by him sold to CAPT. THOMAS HERBERT decd. as by deed recorded in Sect. office in the City of Williamsburg 15 Oct 1740.....MARY HERBERT being empowered by will of MARKHAM decd to sell &c ...& the same being publicly advertised & sold at public auction to the said WILLIAM HERBERT being the highest bidder.....Wit: JOHN WHIDDON, ABEL LEWELLING, JOSEPH MIDDLETON.
(20 DB 110b-112a)

(The above shows that WILLOUGHBY HERBERT went to General Court and then received his Deed in Williamsburg to sell land to THOS: HERBERT in 1740. I believe he did this in order to dock the entail, if so he probably recited his family history.)

1790 ca. - EDWARD & NANCY HERBERT of Maryland to CHAS: ODEON 170 acres bought from exex. of MARCUM HERBERT. (33 DB 72 Nco)

And 1791 - EDWARD & NANCY HERBERT of Maryland to CHAS: ODEAN 170 acres heired from EDWARD'S father WILLIAM HERBERT. (33 DB 188 Nco)

Dec 1751 - We the subscribers have processioned all the land from COLLO: CRAWFORDS to the head of JULIANS CREEK.....We processioned the land of THOMAS HARBORT, HENERY HARBORT and MARKHAM HARBORT. (ERP p 10)

18 Jul 1764 - INDENTURE; Between JOHN MARKIUM HERBERT, Shipwright, and SARAH his wife, and MARY HERBERT, widow, of the Co. of Norfolk of the one part and JOHN HERBERT of the said county, Shipwright of the other part.

Witnesseth: that JOHN MARKIUM HERBERT & SARAH his wife and MARY HERBERT for and in consideration of the sum of 5 shillings... in hand paid by the said JOHN HERBERT have granted, bargained and sold unto the said JOHN HERBERT:

One parcel of land containing 104 acres situate in the PARISH OF PORTSMOUTH on the WEST SIDE of the SOUTHERN BRANCH bounded beginning at a white oak near the head of a Small Cove runing thence So. 74.30 East 60 poles to a small cedar bush by the side of the Southern Branch aforesaid thence along the said Southern Branch according to the mouth of PARADISE CREEK thence along the Meanders of the said Creek crossing several coves 160 poles to a pine thence North 4 degrees East 123 poles to a post by the sides of the said HERBERTS cornfield thence North 21.30 East 80 poles through the aforesaid Cornfield to the beginning White Oak as by a survey lately taken by ARTHUR BOUSH, GENT., Surveyor of the said County, and all houses and buildings

signed: JOHN MARKCOM HERBERT

Wit: JOHN WHIDDON, GILES RANDOLPH

SARAH HERBERT her mark

GEORGE WRIGHT BURGER.

MARY HERBERT her mark

on p 230 the Release for £ 1764.

(21 DB 229a Nco)

19 Jul 1764 - JOHN MARKUM HERBERT and SARAH his wife and MARY HERBERT, widow of Norfolk County leasing to JOHN HERBERT, Shipwright for 5 shillings.....one parcel of land lying and being at a POINT called the OLD BUILDING PLACE and bounded as followeth:....beginning on the SOUTH SIDE of the said Point runing North 50 yards to a Corner STone from thence towards the end of the point 155 yards to a Red Oak thence binding on the Riverside and is part of the land the said JOHN MARKUM HERBERT now lives on and was devised to him by his father MARKUM HERBERT as by his will recorded in Norfolk Co. Court. (MARY DID NOT SIGN)
Same witnesses as above. signed: JOHN MARKCOM HERBERT & SARAH HERBERT

(21 DB 230 - 233 Nco)

Release of the above dated and recorded 19 Jul 1764.

24 Nov 1798 - JOHN HERBERT JR., JOHN SHIELD and THOMAS NASH of the Co. of Norfolk of the one part and WILLIAM NASH JR. of the same place of the other part: By a decree of the Court of Norfolk passed the 23 Mar 1796 in a certain suit in chancery between MARGARET LIVINGSTON and others plaintiffs and BETHIAH SMITH exex of WILLIAM SMITH DEC'd deft.

It was ordered that the said JOHN HERBERT JR., JOHN SHEILD and THOMAS NASH or any two of them make sale of one moiety of a tract of land (situate of the SOUTHERN BRANCHbeing the same formerly purchased by THOMAS HERBERT and WILLIAM SMITH of LODOWICK BRODIE) for ready money at Public Auction giving due notice &c.....and whereas the aforesaid JOHN HERBERT JR & JOHN SHIELD in obedience to the said Decree have sold the said land at public auction to the aforesaid WILLIAM NASH.....
...for the sum of £ 400 one moiety of a tract of land in the Co. of Norfolk and Parish of Portsmouth usually known by the name of MALCOMS POINT and bounded: beginning at a corner tree of the land hereby conveyed and JOHN TATEM and running and binding on the roadthrough the middle of a coveto a stake on a point thence across the Cove to the SOUTHERN BRANCH, binding on the shore.....&c.....

Rec. 17 Dec 1798.

(37 DB 183a-184)

FROM: Summaries of Loyalists Claims. Copies available on microfilm at Colonial Williamsburg, Inc. Research Division (Miss Mary Stephenson) These documents are filmed from the records in England, and these notes were made in December 1961. The claims themselves are quite detailed.

PRO/AO 13/96 pt 2 M-496 (CWI) - MALCOLM HERBERT, Planter, late of Norfolk County for loss of 500 acres in the PARISH OF PORTSMOUTH joined LORD DUNMORE in 1775 (6 pages of claim). (This must be the son JOHN MARKHAM for the father died before May 1761.)

PRO/AO 13/58 Series II, M-493 (CWI) JOHN MARKHAM HERBERT, late of Norfolk, Va. for loss of 500 acres in PORTSMOUTH PARISH, Norfolk County, with buildings and stock and 50 acres of pasture, at £ 2500, 1786.

In 1776 - He raised a Company of Men and supported the BRITISH at the BATTLE OF GREAT BRIDGE. (Virginian-Pilot 9 Dec 1956)

NOTE: Markham died by 1761 this has to be his son JOHN MARKHAM. AGW

LAND CALLED "BAY TREE HOLE"

19 May 1638 Patent to WILLIAM DURFORD, Lower Norfolk County of New Norfolk. 150 acres lying half a mile up a Creek against a place called BATTEWHOLE some 6 miles up the SOUTHERN BRANCH of Elizabeth River.

(1 PB pt II p 536)

17 Sep 1665 - Deed of Gift: JOANNE YATES, widow of JOHN YATES, 150 acres called BAY TREE HOLE NECK to her daughter FRANCES and her husband GEORGE BALLENTINE.

(9 DB 547-548 Nco)

21 Oct 1665 - In her will JOANE YATES confirmed the 150 acres called BAY TREE HOLE to her grandson GEORGE BALLENTINE, son and heir of FRANCES and GEORGE BALLENTINE.

(9 DB 547-548 Nco)

THOMAS BALLENTINE - exors of their father GEORGE - WILLIAM BALLENTINE sold <u>75 acres</u> called BAY TREE HOLE to WILLIAM BALLENTINE (ibid)	sold <u>75 acres</u> called BAY TREE HOLE to JOHN WHIDDON (ibid)
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WILLIAM & ELIZABETH BALLENTINE:

15 Nov ack 16 Nov 1716

15 Nov 1716 Ack. 16 Nov 1716: INDENTURE: for and in consideration of £ 70 . A tract of land of 75 acres being on the EAST SIDE OF THE SOUTHERN BRANCH of ELIZABETH RIVER....said land called BAY TREE HOLE NECK..... the said 75 acres being one Moiety of 150 acres of land given by Deed of Gift by JOANE YATES widdow to her daughter FRANCES and to her husband GEORGE BALLENTINE the elder & to the first heir male of their bodys as by the deed bearing date 15 7ber (Sep) 1665...and afterwards on the 21st Oct 1665 confirmed the same by her last will and testament in giving the said 150 acres of land unto GEORGE BALLENTINE the son & heir of the said GEORGE BALLENTINE and FRANCES his wife, and afterwards the said 75 acres of land, part of the 150 acres sold by the said GEORGE BALLENTINE where divided from the other part by lines of marked trees to THOMAS BALLENTINE as by records of Norfolk County having relation thereunto will more fully appear and now by the said THOMAS BALLANTINE by the free consent of SARAH his wife sold & set over unto the said WILLIAM BALLENTINE with ELIZABETH his wife have sold & set over unto JOHN WHIDDON as it is bounded round about with lines of marked trees or natural bounds.....&c..(9 DB 547-548)

19 Nov 1748 - In his will JOHN WHIDDON: "to my daughter MARY HERBERT, wife of MARKHAM HERBERT, the Dividend of Land with the Plantation thereon that I bought of WILLIAM BALLENTINE lying on the SOUTH SIDE of BAY TREE HOLE. Being the same land which I have already made over to the said MARKHAM HERBERT and acknowledged in the open Court of Norfolk.(Eye p 192)

1 Mar 1761 - In his will MARKHAM HERBERT: "to my son THOMAS HERBERT one PLANTATION on the EAST SIDE of the SOUTHERN BRANCH called BAY TREE HOLE." If son THOMAS dies his land to son WHIDDON. (1 WB 62 Nco)

17 Jan 1772 - MARY HERBERT, widow of MARKHAM, to my son WHIDDON HERBERT land adj. JOHN WHIDDON & DAVID BALLENTINE called BAY TREE HOLE, in the SOUTHERN BRANCH, mouth of THOMAS NASH's Creek &c.....(25 DB 184 Nco)

18 Jul 1778 - Will of WHIDDON HERBERT at present of Chesterfield though an Inhabitant of the Co. of Norfolk:- to my mother MARY HERBERT the PLANTATION situate on the SOUTHERN BRANCH in Co. of Norfolk in the PARISH of ST. BRIDES where RICHARD HERBERT now lives during her life & after her decease to descend to my brother GEORGE HERBERT.(Reel 27 Va. State Library, Chesterfield Co. WB 3 1774-1785 pp 167,168)

24 Jul 1779 - GEORGE & JOANNAH HERBERT to JOHN WHIDDON for £ 300 land on EAST SIDE of SOUTHERN BRANCH. 75 acres adjoining DAVID BALLENTINE and JOHN WHIDDON. (27 DB 89-90 Nco)

16 Sep 1779 - GEORGE HERBERT & JOANNA HERBERT of the Co of Chesterfield sold unto JOHN WHIDDON of the Co of Norfolk the Fee Simple Estate of a parcel of land with the appurtenances lying and being in the Co of Norfolk and on the EAST SIDE of the SOUTHERN BRANCH of Elizabeth River and joining and binding on the lands of DAVID BALLENTINE and the said JOHN WHIDDON. It being all that piece of parcel of land which was bequeathed to the said GEORGE HERBERT by his brother WHIDDON HERBERT decd and which the said WHIDDON HERBERT purchased of his mother MARY HERBERT containing by estimation 75 acres.....(27 WB 105a-106 Nco)

12 Apr 1796 - In will of JOHN WHIDDON of Norfolk Co: "unto my daughter MARY BAWDY ... a piece of land I purchased of GEORGE HERBERT called BAY TREE HOLE. 75 acres more or less binding on DAVID VALLENTINE decd. and on my old PLANTATION

JOHN MARKHAM HERBERT, SHIPWRIGHT OF NORFOLK COUNTY, VIRGINIA

MARKCOM⁴, THOMAS³, JOHN II², JOHN I¹

b ca 1740 (he was married in 1763)

d

= bef 1763 (Isle of Wight DB II, 1761-65 pp 126-28)

SARAH SUMERELL DAUGHTER OF JOHN OF ISLE OF WIGHT COUNTY, VA.

b bef 1747 (Married in 1763 so must have been born 16 years earlier)

d

ISSUE:	HANNAH HERBERT	&	MARY HERBERT
	b		b
	d		d

9 Dec 1749 - MARGARET HERBERT (wife of THOMAS HERBERT & daughter of JOHN MARKHAM) names her grand-son JOHN MARKCOM HERBERT son of my son THOMAS. in her will. (Original Will in Nco)

1 Mar 1761 - MARKHAM HERBERT in his will "house I live in to eldest son JOHN MARKCOM..... (1 WB 62 Nco)

19 Aug 1762 -granted JOHN HERBERT against STEPHEN WILLIAMS 25 1 tob for 1 days attendance in his suit against JOHN MARKHAM HERBERT. (This looks like John Herbert was testifying for Stephen Williams against John Markham Herbert?) (OB 1760 p 201 b)

1 Feb 1763 - JOHN MARKHAM HERBERT and wife SARAH of Norfolk County to CHARLES DRIVER of ISLE OF WIGHT, for £ 100, land where WILLIAM NORSWORTHY now lives, the inheritance of SARAH, wife of JOHN MARKHAM HERBERT 200 acres bounded by the antient bounds relation thereunto being had (but no reference given) . Wit: ANDREW MACKIE, THOS. APPLEWHITE and JOHN MALLORY. Recorded 1 Feb 1763. SARAH releases her rights in Norfolk Court. Signed: JOHN MARKCOM HERBERT. (Isle of Wight DBII, 1761-5 p126-8)

8 Aug 1763 Rec 19 Jan 1764 - (Deed of sale?) JOHN MARCUM HERBERT of Norfolk County for £ 20 to JOHN LEWELLING, negro boy Jame (Security until next May 18 ?) Wit: SAMUEL ETHEREDGE, PAUL LEWELLING, W. SHEILDS. (21 DB 118b Nco)

18 Jul 1764 Rec 19 Jul 1764 - JOHN MARKUM HERBERT, Shipwright & wife SARAH, and MARY HERBERT widow, of Norfolk County to JOHN HERBERT of same, Shipwright, 104 1/2 acres in the Parish of Portsmouth on the West side of the SOUTHERN BRANCH, beginning at a white ash near the head of a small cove, to a cedar bush by the side of the Southern Branch, along the Southern Branch 176 poles to the mouth of PARADISE CREEK, along Paradise Creek 160 poles thence North 4 degrees East 123 poles to a post beside said HERBERT'S Cornfield thence N 21.30 E through the cornfield to the beginning. Survey later taken by ARTHUR BOUSH.

Wit: JOHN WHIDDON, GILES RANDOLPH, GEORGE WRIGHT BURGESS.

Signed: JOHN MARKCOM HERBERT, SARAH (X) HERBERT, MARY (X) HERBERT.

Release 19 Jul Rec 19 Jul 1764 for £ 180 same as lease. (21 DB 229b-231b)

(Where our JOHN HERBERT buys the land he mentioned in his will 104 1/2 acres - also mentioned in his deed to SAMUEL BOUSH in 1764.)

18 Jul 1764 Rec 19 Jul 1764 - JOHN MARKHAM HERBERT & SARAH HERBERT and MARY HERBERT widow of Norfolk County to JOHN HERBERT, Shipwright, of same, a piece of land at a POINT called the OLD BUILDING PLACE, beginning on South side of the Point, N 50 yard to a corner stone to the end of the Point, 115 yard, to a red oak, thence adjoining the RIVER (E.BR?) and is part of the land JOHN MARKHAM HERBERT now lives on and was devised to him by his father, MARKUM HERBERT by will recorded in Norfolk County. Wit: JOHN WHIDDON, GILES RANDOLPH, GEORGE WRIGHT BURGESS. The Release same to same for £5. (21 DB 231b-232b)

INDENTURE: 18 Oct 1764 - between JOHN HERBERT of Norfolk County, Shipwright, and SAMUEL BOUSH of Norfolk Borough, Gent. JOHN HERBERT has borrowed of JOHN HUTCHINGS, JR., of the Borough, Gent., guardian of RICHARD KELSICK £ 150 and SAMUEL BOUSH at the request of the said JOHN HERBERT has become security for payment of said money and interest. JOHN HERBERT for securing SAMUEL BOUSH for his becoming security and for 5 shillings paid to him by SAMUEL BOUSH, has sold to BOUSH that tract of land which JOHN HERBERT purchased of JOHN MARKHAM HERBERT and SARAH his wife and MARY HERBERT in the county aforesaid containing 104 1/2 acres, bounded as in deeds from JOHN MARKHAM HERBERT and SARAH his wife, and MARY HERBERT and recorded in the said County Court. No witnesses. (22 DB 29a-30a Nco)

In the Isle of Wight Order Book 1764-68 p 224 and printed in Marriages of Isle of Wight by Chapman there is a marriage given thusly: JOHN MARKHAM HERBERT = 1765 = JANE SUMMERELL dau of JOHN SUMMERELL. (This is an "inferred marriage due to reference in this order book, dated 1765. Marriage would have been before 1765. JOHN MARKHAM'S wife was SARAH in the 1763 Isle of Wight Deed above, and in the 1775 deed to JOHN TATEM.) JOHN SUMERELL'S will dated 1745 proved 1746 names two daughters SARAH and JEAN. (5 WB 28 Isle of Wight) The name JANE in the marriage record must be a mistake of copying or assumption on the part of the recorder. AGW)

12 Mar 1765 - JOHN MARKCOM HERBERT witnessed the will of NATHANIEL HERBERT of the Parish of Portsmouth. (1 WB 151 Nco)

18 Jan 1775 Rec 20 Aug 1775 - JOHN MARKCOM HERBERT and SARAH HERBERT to JOHN TATEM SENR: for £ 179 land in PORTSMOUTH PARISH, 102 acres, corner ot JOHN HERBERT and JOHN MARCOM HERBERT, adjoining JOHN HERBERT, to PARADISE CREEK. Wit: ANDREW STEWART, EDWARD DAVIS, J. R. WILKINSON. (27 DB 20-21 Nco)

1 Sep 1779 - SAMUEL BOUSH to JOHN HERBERT, Shipwright, (very involved deed as follofs): SAMUEL BOUSH at the request of JOHN HERBERT became security to JOHN HUTCHINGS JR., guardian to RICHARD KELSICK for sum of £ 150.

JOHN HERBERT by deed dated 18 Oct 1764 conveyed to BOUSH land JOHN HERBERT bought of JOHN MARKHAM & SARAH HERBERT & MARY HERBERT widow. 104 1/2 acres for security.

SAMUEL BOUSH because JOHN HERBERT indemnified him, and for 5 shillings, sells this land to JOHN HERBERT. Wit: JOHN WILLOUGHBY, GEO: ABYVON, PAUL LOYALE, JOSHUA PEED, ALBERT MOSELY and BASSETT MOSELY. (27 DB 106 Nco)

19 Oct 1786 - LODOWICK & MARY BRODIE to THOMAS HERBERT SR and WILLIAM SMITH, for £ 400, 166 acres by survey dated 29 Nov 1783, begin at mouth of a cove, to mouth of a creek, binding on the river. to East corner JOHN HERBERT'S lot to THOMAS HERBERT'S Garden, this property formerly JOHN MARKHAM HERBERT'S.

HENRY HERBERT SENIOR, OF NORFOLK COUNTY, VIRGINIA

THOMAS³, JOHN² II, JOHN I¹

b between 1714-1716 (2WB 112 Nc) & (1730 & 1734 Southern Branch

wd 29 Jun 1777 wp 19 Nov 1778 Tithables, Norfolk Co.)

wit: MATTHIAS CHRISTIAN, THOMAS WILLIAMSON & EDM. ALMAND

wp by MATHIAS CHRISTIAN and EDMUND ALLMAND (2 WB 112 Nco)

Exor: sons CALEB, JAMES and if the law will permit son JONATHAN HERBERT.

= 17 Jan 1736/7 (3N77, Win², 6 CH 103) ABIGAIL CAWSON DAU OF
JONAS & ABIGAIL (CHURCH)

".....being in an imperfect state of health of body.....

to wife ABIGAIL the use of all my lands with all the appurtenances
thereunto belonging during her natural life, except such lands as I may
mention hereafter to be sold, and a small room upstairs in my dwelling
house over the little room, the use of which I give to:

my daughter ABIGAIL as long as she remains unmarried, but I do not give
liberty to my wife to sell any wood or timber off the land, but only to
make use of such as may be necessary for Plantation uses, such as Wood,
Railtimber, and buildings or Repairing on the said lands, for her own
uses or Convenience. I also give the use of the following slaves to
my wife during her natural life: Tom, Conner, Sharper, George, Casar,
Sam, November, Davy, Jack, Solomon, Joe and Venus.

but I do give and bequeath to my said wife and to her own disposal for-
ever my slaves called Old Hannah and Alice with all their future in-
crease.....all my silver plate and all the Hard ready Money that
I have now in the House by me, amounting to about Forty Pounds. I give
the said plate and money to her and her heirs forever.

ITEM: The land and slaves which I have given my wife the use of during
her life, I shall in different parts of my will give amongst my loving
children, but it is not to be understood in any sentence of my will that
they are to pass or go into their possession or use untill my wife's
decease; unless she herself thinks proper to give them the possession
and uses thereof in her lifetime.

to my son CALEB, my Lands and Plantation whereon I now live with the
appurtenances containing by estimation 125 acres and lying on the North
or Northeast side of the ROAD that leads from FERRY POINT to the GREAT
BRIDGE, and on the East or Southeast of POTTER's COVE.....
also during his natural life my land on POWDER POINT bounded as follows:
....beginning at the River at the middle of POWDER POINT CREEK and run-
ning up the middle of the said creek and so on the same course up to the
FERRY POINT ROAD and then along the said road to POWDER POINT ROAD then
down.....POWDER POINT ROAD to the RVER.....and at his death I give
the same to his son JAMES and his heirs forever. And my will is that in
consideration of the land and Houses at POWDER POINT given to my son
CALEB he shall pay the sum of £ 50 current money to be equally divided
amongst the other children that are now living to each an equal share...
..... also the following slaves....Tom, Conner, and wench Venus
and girl Rose with their future increase.

to my son JONAS, one lot of Land at FERRY POINT, lot # 2, also my negroe called Sharper and one feather bed and furniture..... and also.....all the balance and debts that may appear to be due from him to me.

to my son JAMES the Middle Division or part of my land that lies to the South or Southeastward of FERRY POINT ROAD, called POPLAR NECK and bounded as follows: Beginning at a large Saplin Pine near the head of a Cove to the Northeastward of STEEP POINT and running thence North 28 degrees East, to FERRY POINT ROAD, thence up the road to the Southeastward to PETER SPARROWS path, thence South 53 degrees West, to a marked myrtle to the East or Northeastward of STEEP POINT near the head of a Cove, and from the said Myrtle and Saplin Pine near the Heads of the Different.....Coves, the bounds or lines run down the Middle of the said Coves and Creeks to the MAIN RIVER, of SOUTHERN BRANCH, I give the same to him and his heirs &c.....and also one negroe called November, one feather bed and furniture, six mahogany chairs with hair bottoms, one mahogany armed chair, and all the Scantling I sawed to build him a house.....

to my son ARGIL 2 lots of land at FERRY POINT that is to say lots Number 1 and 3 also my land and PLANTATION up the Southern Branch called BASSETS..... alsonegroe slaves called Caesar and Tom, and one feather bed and furniture.....

to my son HENRY the BRIGG POINT DIVISION, a part of my land that lies to the Southeastward of FERRY POINT ROAD, bounded by the SOUTHERN BRANCH or River and the Middle of POINT CREEK and FERRY POINT ROAD and my son JAMES PART, or..... of the said land, and.....also.... the following slaves, Davy, girl Sue, and her future increase and old Sarah. also one feather bed and furniture.....

to my son JONATHAN all my land called SLOOP YARD POINT beginning at WILLIAM HERBERTS GARDEN, and running thence up the Northeast side of Liberty Street, or the road, to a Gum Stump near the head of POTTERS COVE, thence down the middle of the said Cove to the river, or EASTERN BRANCH and then down a long the River to WILLIAM HERBERTS LAND again and so bounded by WILLIAM HERBERTS LAND to the beginning..... also that part or division of my land that lies to the Southeastward of FERRY POINT ROAD, that is between the land that was PETER SPARROWS and my son JAMES part or divisions of the said land, I give the same to him also the following slaves, ... Sam, boy Dick, and Solomon, also one feather bed and furniture.....

to my daughter LYDIA NICHOLSON one lot of land at FERRY POINT, lot # 5 and do desire that she may have the same at her own disposal..... also one negroe girl called Penelope with all her future increase.

to my daughter ABIGAIL one lot of land at FERRY POINT lot # 7.....also my negroe wench called Celler and her future increase and one negroe boy called Anthony, also £ 100 cash to be paid to her out of my estate by my executors on the day of her marriage or when she comes to the age of also one feather bed and furniture.....

Whereas my son CHRISTOPHER dec'd, did in his will devise two negroes, to wit Jack and Joe to his two sisters LYDIA and ABIGAIL, that is to say Jack to my daughter LYDIA and her heirs Joe to my daughter ABIGAIL & her heirs forever....I do hereby confirm the above devise...

I desire that all that piece of my land that lies before WILLIAM HERBERTS HOUSE down by the River, and as far as to LIBERTY STREET may be sold, also that all the lots at FERRY POINT that are not already given away may be sold, also all the land at FERRY or POWDER POINT that is not already given away not laid off in lots may be laid off into lots, and sold, and all the money arising from the sale of the above land and lots I give to be equally divided amongst my children that are now living to each an equal part.

I leave my BLACKSMITH TOOLS and Utensils for the use of all my Children in common, but desire they may not be removed out of the SHIPYARD, but kept at the Plantation where I now live.

to my wife all my household and kitchen furniture (that is not already mentioned and given away)..... during her natural lifealso the use of all my stock of all kinds during her natural life.....

I desire that all my just debts may be paid, and that all the remainder of my ready money (except the Hard money which I have given to my loving wife) may be equally divided amongst my children that are now living to each an equal part.....

I desire that all my outstanding debts that are due to me by Bonds, Book debts or any otherway may be collected as soon as possible.....and the money equally divided amongst my children that are now living, to each an equal share.

I desire that all the Estate that is given to my wife for life (except the slaves) may at her death be sold, and the money arising from such sale to be equally divided amongst my childrenbe then living.... but desire that if any of my children should depart this life before that time and leave a child or children that the part of the said money that should have been the Parents shall descend and go to his or her child or children.

I give my gold sleeve buttons to my son JONATHAN.

Lastly, I do constitute and appoint my loving sons CALEB HERBERT, JAMES HERBERT and if the law will so permit, my loving son JONATHAN HERBERT to be my Executors.....

HENRY HERBERT and SEALE

NB: The word (east) on the other side and the Black Rasure at the beginning of the first line on the lower piece of paper were interlined and done before signing; also the rasure on the other side where the words (The Be-) are inserted were also done before signing.....

Lastly and finally my will and desire is that this writing in favor of my daughter, LYDIA NICHOLSON, be considered as a part of my last will and testament. ITEM: I give to my beloved daughter LYDIA NICHOLSON one negro man named George.....

HENRY HERBERT (his mark)

HENRY HERBERT will 1777 wp 1778 proves wife ABIGAIL and the following issue: (2 WB 112 Nco)

CALEB - 125 acres on N or NE side of the road from FERRY POINT to GREAT BRIDGE and E or SE of POTTERS COVE.

also

Land and Houses on POWDER POINT adjoining FERRY POINT ROAD, and at his death to his son JAMES HERBERT.

JONAS - Lot # 2 at FERRY POINT.

JAMES - Middle Division of my land that lies S or SE of FERRY POINT ROAD called POPLAR NECK and bounded: beginning at a Saplin Pine near the head of a cove to the NE of STEEP POINT and running N 28° E to FERRY POINT ROAD, thence up the road to the SE to PETER SPARROWS path, thence S 53! W to a marked myrtle to the E or NE of STEEP POINT near the head of a cove, and from said Myrtle and Saplin Pine near the heads of the different Coves and Creeks to the MAIN RIVER, of SOUTHERN BRANCH.

ARGIL - 2 lots of land, # 1 & 3, at FERRY POINT also PLANTATION up the SOUTHERN BRANCH called BASSETS.

HENRY - the BRIGG POINT DIVISION that lies to the SE of FERRY POINT ROAD bounded by the S. Branch or River and the Middle ofPOINT CREEK and FERRY POINT ROAD.

JONATHAN - all my land called SLOOP YARD POINT begin: at WM: HERBERTS GARDEN and running thence up the NE side of LIBERTY STREET. or the road, to a Gum Swamp near the head of POTTERS COVE, thence down the middle of the said cove to the river, or EASTERN BRANCH, and thence down along the River to WILLIAM HERBERTS land and bounded on his land to the beginning.

also

that division of land that lies to the SE of FERRY POINT ROAD, between land of PETER SPARROWS and my son JAMES.

LYDIA NICHOLSON - one lot of land at FERRY POINT # 5.

ABIGAIL - one lot of land at FERRY POINT # 7

"all that land that lies before WILLIAM HERBERTS HOUSE down by the River, and as far as LIBERTY STREET to be sold. Also all lots at FERRY POINT not given away are to be sold. Also all the land at FERRY or POWDER POINT not given away & not laid off in lots may be laid off in lots and sold."

THE SHIPYARD was located at the PLANTATION where HENRY lived which he gave to his son CALEB containing 125 acres.

1779 - CALEB and JAMES HERBERT who were their father's executors sold lots at FERRY POINT # 17 & #19 to EDMOND ALLMAND (J p 12 Nco) and Lot #4 to CHARLES SMALLWOOD (J 17,18)

1783 - They sold to ANDREW CARSON (28 DB 7) and WILLIAM HERBERT (28DB8)

HENRY'S father, THOMAS HERBERT, left him: "the land and PLANTATION called BASIT with part of the land called DIGBYES being the land that he now lives on running up a line of marked trees to the Land I bought of RICHARD BALLENTINE and running up that line to my Corner tree adjoining upon the land of CAPT. WILLIAM BUSTEN runing from the said corner tree down to a small branch being part of the land that I bought RICHARD BALLENTINE so runing down the branch....and the remaining part of said land I give to my son THOMAS." (Will 1749 - Book H p 260 Nco)

HENRY DEALL SR. of Elizabeth River, Norfolk County in his wd 21 Oct 1716 wp 18 Jan 1716/17 names his "grandson, HENRY HERBERT". JOHN HERBERT's orphans went to live with HENRY DEALL when he married JOHN HERBERT II's widow JOANNA making this HENRY son of THOMAS a "step grandson". (9 p 569 Nco)

29 Dec 1742 HENRY HERBERT, JOHN WHIDDON & ABIGAIL WHIDDON gave consent to marriage of WILLIAM HERBERT to JANET CAWSON. (3N79)
Wit: HENRY HERBERT, WILLIAM HERBERT, SAMUEL BOUSH & MARKCOM HERBERT.

16 Jun 1760 - ROBERT TUCKER of Borough of Norfolk acting exor of ELEANOR BRETT & ROBERT BRETT, Mariner, grandson and heir at law to ELEANOR BRETT, selling to HENRY HERBERT the land of RICHARD SAYER, 225 acres on the S side of the EASTERN BRANCH and E side of the SOUTHERN BRANCH, land devised by will of RICHARD SAYER dated 30 Apr 1716.(OAW 102) (19 DB 87b)

1761 - HENRY HERBERT, THOMAS NASH and JOHN PORTLOCK, VESTRYMEN of ST. BRIDES PARISH. (2 V 216)

1779 - CALEB & JAMES HERBERT exors of HENRY HERBERT sell lots at FERRY POINT to EDMONS ALMOND #17 & #19. (J 12 Nco)

1779 - CALEB & JAMES HERBERT exors of HENRY HERBERT sell lot # 4 at FERRY POINT to CHARLES SMALLWOOD. (J p 17-18 Nco)

1779 - "Several horses taken into possession by HENRY HERBERT of the County of Norfolk, Virginia." (He died 1778 so this is a late entry) (1N9)

1782 - ABIGAIL HERBERT owned 2 whites and 8 blacks (5N5)

15 Sep 1785 - JONATHAN HERBERT to MICHAEL PAYNE 100 acres given by Grandfather THOMAS HERBERT to father HENRY HERBERT, land called BASET and part of land called DIGBYE.

He founded a Shipyard that lasted 100 years from 1728 to 1828. During the Revolution members of the HERBERT FAMILY outfitted ships for the Continental Navy. (He was only about 14 years old in 1728)
(Va.-Pilot 11 Nov 1951 NfkVa.)

Articles of Agreement made the 27 Aug 1756 betweene CHRISTOPHER CAWSON of the County of Norfolk of the First part; WILLIAM PORTER of the County aforesaid of the Second part; ANN BALLENTINE of the County aforesaid of the Third part; ARGILE CAWSON now of the County of Norfolk of the Fourth part; HENRY HERBERT and ABIGAIL his wife of the County of Norfolk aforesaid of the Fifth part; WILLM HERBERT and JANET his wife of the County of Norfolk aforesaid of the Sixth part; and JONAS CAWSON of the County of Princess Anne of the Seventh part in manner following Vizt:

WHEREAS: JONAS CAWSON late of the County of Norfolk aforesaid Deceased by his lastWill & Testament duly recorded in the Court of the said County of Norfolk did devise to his seven children to wit, the said CHRISTOPHER, ARGILE, JONAS, KEZIA[who afterwards intermarried with the said WILLIAM PORTER and is since dead]the said ANN, ABIGAIL & JANET all his personal estate and the six following slaves: David, Veneby, Janny, Tom, Dinah and Will. To be equally divided amongst them after the death of ABIGAIL his wife and WHEREAS: the said ABIGAIL widow of the said Testator did afterwards intermarry with one JOHN WHIDON of the said County of Norfolk, who after with the consent of his said wife did give the said KEZIA the said negro called Dinah as her part of the aforementioned slaves; which said Dinah hath since born two children called Lila and Nancy now in the possession of WILLIAM PORTER.

And whereas the said CHRISTOPHER is now possessed of the said negro Tom who was delivered to him as his part of the slaves devised by the said Testator aforesaid.

And the said HENRY HERBERT is now possessed of one negro boy called Saul son of the aforesaid Dinah who was delivered to him as his wife's part of the said slaves devised by the said testator as aforesaid and the said

WILLIAM HERBERT is now possesses of one negro called Alfa daughter of said slave called Dinah who was delivered to him as his wife Janet's part.....which the slave Afta since she hath been in the possession of the said WILLIAM HERBERT hath born five children Vizt: Jack, Glasgow, America, Jame, Cuffy who are also in the possession of the said WILLM HERBERT and whereas the said ARGILE, JONAS & ANN have each of them been possessed one slave of the Estate of the Testator which was delivered to them as each of their parts of the Slaves..... but all three of said slaves are since dead.

And Whereas the said slaves David, Jenny, Veneby, and Will mentioned in the Testators will died in the lifetime of the said Testators Widow and the said Testators widow ABIGAIL hath lately departed this life since whose Death no Legal partition hath been made of the surviving slaves [and their increase] mentioned in the said Testators will and as the said ARGAL, JONAS & ANN have each lost the slave delivered them in manner aforesaid disputes have arisen amongst the aforementioned parties concerning the partition of the said surviving slaves.

Now this Indenture witnesseth that the above mentioned parties & Each of them by their mutual Consent and for the more Traceable and quiet possession of their proportionable parts of the surviving slaves and their increase devised by the said Testator as aforesaid so that no strife may hereafter arise concerning them. It is agreed amongst, between the said parties and each of them in manner following Vizt: First that the said CHRISTOPHER CAWSON shall have & possess the said slave called Tom in full of his part of the slaves devised by the said Testator as aforesaid and their increase without the Lott, Suit Trouble of Disturbance of the other parties.

(FROM THIS POINT EXCESS WORDING WILL BE ELIMINATED TO AVOID REPETITION)

- 2 - HENRY HERBERT in right of ABIGAIL his wife to have slave called Soul
- 3 - WILLIAM PORTER in right of his wife to have slaves Dinah, Phebee, Nancy
- 4 - WILLM: HERBERT in right of his wife JANET to have Afta, Jack, Glasgow, Jane, America, & Cuffy.

and the said WILLIAM PORTER in consideration of his having the aforesaid slaves doth covenant and agree to pay on or before the first day of Sep next (1757) to JONAS & ARGILL £37 Current money of Virginia to be equally divided between them....and one shilling like money'to ANN BALLENTINE.

WILLIAM HERBERT to pay to JONAS & ARGILE £ 30 to be devided between them..... and one shilling to ANN BALLENTINE.

5 - ARGILE CAWSON to receive of WILLIAM PORTER £ 15 as his part

6 - JONAS CAWSON shall receive of WILLIAM PORTER £ 15

7 - ANN BALLANTINE shall receive of WILLIAM PORTER one shilling.....

shall receive of WILLIAM HERBERT one shilling.....

And the said ANN BALLANTINE doth hereby acknowledge herself to be herewith content as she hath before received one Slave..... which died in her possession...

.... CHRISTOPHER CAWSON, WILLIAM PORTER, ANN BALLENTINE, ARGILE CAWSON, HENRY HERBERT & JONAS CAWSON bind themselveseither to the others in the final sum of £ 500.0.0

Wit: JOHN MANING, JAMES HOLT & CHRISTOPHER HERBERT

27 Aug 1756 4 receipts follow for payments - 16 Sep 1756 Agreement was Recorded

JONAS CAWSON of Norfolk County

Deceased in 1756

=

ABIGAIL

deceased in 1756

she = (2)

JOHN WHIDON

CHRISTOPHER CAWSON

ABIGAIL CAWSON

= HENRY HERBERT

KEZIA CAWSON

deceased in 1756

=

WILLIAM PORTER

JANET CAWSON

=

WILLIAM HERBERT

ANN CAWSON

=

BALLANTINE

ARGILE CAWSON

JONAS CAWSON



CALEB HERBERT OF NORFOLK COUNTY, VIRGINIA

(HENRY ⁴, THOMAS ³, JOHN II ², JOHN I ¹)

b before 1744 (witnessed a marriage in 1764 (4N21))

(Called Agent in 1766 (32V95))

will dated 22 Jan 1792 wp 18 May 1796 (3 WB 174 Nco) by THOMAS NICHOLSON and JONATHAN HERBERT. Other witness was EDWARD ALLMAND.
Buried at Old Hardy Place in Berkley moved ca 1930 to Elmwood
Executors: wife ANN and son MAXIMILIAN /Cemetery in Norfolk.

= 6 Sep 1768 MB = 14 Sep 1768 = ANN NICHOLSON DAU OF JOSHUA
(Win² & 8W2 106 & 4N59)

"to my wife ANN HERBERT the use of all my lands with all the appurtenances thereunto belonging during her natural life, but I do not give liberty to my wife to sell any wood or timber off the lands only such as may be usefull for the whole plantation. I also give the use of the following slaves during her natural life vizt: HANNAH, AGGEY, CLOE, ARTHUR, TOM, CEASAR, QUASH, TONEY, JOE, EPEX, LITTLE HANNAH, ABBY, SALL, NELLIPHY, and KITTY.....

to my son MAXIMILLIAN the Plantation I now live on after the death of my wife the following slaves Quash and Abby.

to my son JOSHUA a piece of the same land I now live on begin: at the head of Shallop gut thence to a Cherry Stump thence to the road by a direct course thence down the main road to a gum stump.....and the following slaves: Tom and Kitty.

to me son JAMES HERBERTslaves Epex and Nellipy.

to my dau TABITHA slaves: Cloe, old Hannah, little Hannah & Joe.

to my dau LIDIA PORTLOCK..... slaves: Aggey, Toney, Sall and Ceasar.

But, if my son JAMES should depart this life before he arrives to the age of twenty-one it is my desire that whatever I have given to him to fall to my son JOSHUA and if he should depart this life before he comes to the age of twenty-one it is my desire that whatever I have given him to fall to my said son JAMES.

It is my desire that all my lands on FERRY POINT and in the TOWN OF WASHINGTON to be sold to pay my debts and after all my just debts are satisfied by them who I may be indebted to, it is my desire that all the money be arising from the said lands may be divided between my daughter TABITHA and LIDIA PORTLOCK, but in case my son MAXIMILLIAN should depart this life before he comes to the age of 21 years it is my desire that the Plantation I have given him to fall to my son JOSHUA and the negroes to my son JAMES. I also give unto my daughter TABITHA my negro man named ACKEY."

ISSUE proved in this will:

LIDIA	MAXIMILLIAN	JOSHUA	JAMES	TABITHA
b ca 1770	b aft 1771	b aft 1771	b aft 1771	b bef 1776
= 16 Jan 1787				
(Win ²)				
JOHN PORTLOCK				

CALEB HERBERT inherited from his brother JONAS HERBERT "MY LARGE FAMILY BIBLE". (2WB196) in 1782.

His father, HENRY HERBERT, in his 1778 will (2 WB 112 Nc) left him "land whereon I now live"... about 125 acres N or NE side of the road that leads from FERRY POINT to GREAT BRIDGE & on the E or SE of POTTERS COVE..... other land to go to CALEB'S son JAMES at CALEB's death.....

1764 - Caleb Herbert & Edward Davison wit; the marriage of:
CAPT. EDWARD DAVISON to Miss MARTHA HERBERT dau of WILLIAM HERBERT. (4N21)

1766 - Caleb Herbert , Agent in Norfolk County, Va. (32 V95)

1767 - Caleb Herbert & John Murray witnessed the marriage of:
JOHN MURRAY to ABIGAIL CAWSON. (4N56)

19 Mar 1767 - Caleb Herbert to ABIGAIL CAWSON, orphan of CHRISTOPHER CAWSON. /s/ CALEB HERBERT and JOHN WHIDDON (Guardian Bonds Nco 1751-75)

30 Apr 1767 - CALEB HERBERT & JOHN MURRAY surities & SAM: BOUSH witness to the marriage of JOHN BROWN to SALLY WALKE b 22 Feb 1745 dau of ANN WALKE. (4N56)

1767 - An Unrecorded Suit in Norfolk Co. no book number or page number.
"To the Worshipful Justices for the County of Norfolk now sitting in Chancery - Worships: Your orator WILLIAM NICHOLSON & Orator & Oratrix CALEB HERBERT and ANN his wife, that JOSHUA NICHOLSON decd, being seized and possessed of a considerable and personal Estate, more than sufficient to pay and satisfy all his just Debts & Funeral Expenses departed this life having made his last Will and Testament in writing, having date the 4 December 1767, and therein amongst other gifts and devises, made the following to wit: Item: I give and bequeath unto my loving son JOSHUA NICHOLSON my house and land in Norfolk Borough which I bought of SAML: BARTEE and my plantation in LITTLE CREEK in Princess Anne County which I bought of RICHARD FRAZIER and also the following slaves to wit: BOB, THOMAS, BETTY, and BRIDGET to him my said son JOSHUA and his heirs forever. I also give to said JOSHUA, one bed, one bedstead and furniture and £ 200 in Cash, to him and his heirs and if my said son JOSHUA shall die before he attains to lawful age and without issue then I give the lands devised to him, to my two sons, JAMES and WILLIAM equally divided between them and their heirs forever, and the other estate, devised to him to be equally divided between my three children JAMES, WILLIAM and ANNE and their heirs. And also in a subsequent devise made another gift and bequest...(This record ends here and there probably is no more of it in Norfolk County, being a Loose Paper which has survived. The date of this record is unknown for it probably appeared on another sheet, now lost AGW)

The above proves: JOSHUA NICHOLSON will 4 Dec 1767 Nco (see also 1 WB169)
ISSUE:

JOSHUA NICHOLSON, JAMES NICHOLSON, WILLIAM NICHOLSON and ANNE NICHOLSON.

CALEB HERBERT = 6 Sep 1768 MB = ANN NICHOLSON (Win² & 8 W² 106)
=14 Sep 1768 =

Wit: JAMES NICHOLSON & CALEB HERBERT (4N59)

WILLIAM NICHOLSON b wd 24 Feb 1728 Original Will Nco = ALICE (AILCE in w) b wd 24 Nov 1741 wp 16 Mar 1748 (H242 Nco)	JOSHUA NICHOLSON "Eldest son" b underage in 1731 wd 1767 wp 1768 (LWB169Nc) =(1) 4 Apr 1744 (Win ²) "my former wife" TABITHA LOWERY dau of JAMES b d bef 1762 decd Sur: WM: & ANN IVY consent for Tabitha. =(2) 27 Aug 1762 (Win ²) MRS. PATIENCE (WRIGHT) PORTER Sur: Lemuel Nicholson b d she =(1) 11 Apr 1738 (Win ²) "her former husband" WILLIAM PORTER Sur: Lemuel Nicholson b d WILLIAM NICHOLSON b d MALACHI NICHOLSON b will 1754 PAC	JAMES NICHOLSON "leir at Law of my former wife" b bef 1757 wp 1778 Nco. 1775 -On Committee of Safety Nco. = Mar 1769 (1 VA 95) (WS35) — b PEMBROKE HUNTER (PEMNY) b decd in 1779 "Land adjoining THELABALL & GODFREY adj: to the road & the Parish Line on the S side of the Creek and Branch." ANN NICHOLSON b by 1752 if 16 when married d = 6 Sep MB = 14 Sep 1768 (Win ² , 8 W ² 106 & 4N59) Sur: James Nicholson CALEB HERBERT b bef 1744 wd 1792 wp 1796 (3WB174 Nc) Ann inherited slaves and furniture from her father, but no land. WILLIAM NICHOLSON of Norfolk Borough in 1790 b bef 1753 will 1796? Nc = 6 Jul 1773 (Win ²) LOVET TATEM orphan of Nathaniel Tatem decd. b d "Land lying on W side of the MAIN ROAD & on N side of the Creek & Branch & also land lying up the Western Branch joining HOLLOWELL'S Land." JOSHUA NICHOLSON b underage in 1767 b aft 1746 will: none in Nco Wills: 1765 & 1781 S'hampton Co.(176) "House and land in Norfolk Borough bought of SAMUEL BARTEE & Plantation in LITTLE CREEK bought of RICHARD FRAZIER"	WILSON NICHOLSON REFERENCE: Original Wills in Norfolk Co., Va. (no book or page numbers) Book H, 1 Will Book, 3 Will Book - Norfolk Co., Court Records Win ² - Marriages of Norfolk Co., by Elizabeth B. Wingo 8W ² - Series 2 of the William & Mary Quarterly 4N - Lower Norfolk County Antiquary by Edward James vol. 4 PAC - Princess Anne Co., Va. 1VA - Va. Antiquary vol 1 by J. Harvie Creecy WS - History of Norfolk Co., Va. by William Stewart 1905
WILLIAM NICHOLSON b wd 24 Feb 1728 Original Will Nco = ALICE (AILCE in w) b wd 24 Nov 1741 wp 16 Mar 1748 (H242 Nco)	WILLIAM NICHOLSON b wd 19 Jun 1731 Original will Nc = PRUDENCE b d THOMAS NICHOLSON GEORGE NICHOLSON LEMUEL NICHOLSON ELIZABETH NICHOLSON ANN BUTT MARY LANGLEY ABIGAIL NICHOLSON SARAH NICHOLSON JOHN NICHOLSON dec'd in 1741 DINAH WILSON	JAMES NICHOLSON "leir at Law of my former wife" b bef 1757 wp 1778 Nco. 1775 -On Committee of Safety Nco. = Mar 1769 (1 VA 95) (WS35) — b PEMBROKE HUNTER (PEMNY) b decd in 1779 "Land adjoining THELABALL & GODFREY adj: to the road & the Parish Line on the S side of the Creek and Branch." ANN NICHOLSON b by 1752 if 16 when married d = 6 Sep MB = 14 Sep 1768 (Win ² , 8 W ² 106 & 4N59) Sur: James Nicholson CALEB HERBERT b bef 1744 wd 1792 wp 1796 (3WB174 Nc) Ann inherited slaves and furniture from her father, but no land. WILLIAM NICHOLSON of Norfolk Borough in 1790 b bef 1753 will 1796? Nc = 6 Jul 1773 (Win ²) LOVET TATEM orphan of Nathaniel Tatem decd. b d "Land lying on W side of the MAIN ROAD & on N side of the Creek & Branch & also land lying up the Western Branch joining HOLLOWELL'S Land." JOSHUA NICHOLSON b underage in 1767 b aft 1746 will: none in Nco Wills: 1765 & 1781 S'hampton Co.(176) "House and land in Norfolk Borough bought of SAMUEL BARTEE & Plantation in LITTLE CREEK bought of RICHARD FRAZIER"	WILSON NICHOLSON REFERENCE: Original Wills in Norfolk Co., Va. (no book or page numbers) Book H, 1 Will Book, 3 Will Book - Norfolk Co., Court Records Win ² - Marriages of Norfolk Co., by Elizabeth B. Wingo 8W ² - Series 2 of the William & Mary Quarterly 4N - Lower Norfolk County Antiquary by Edward James vol. 4 PAC - Princess Anne Co., Va. 1VA - Va. Antiquary vol 1 by J. Harvie Creecy WS - History of Norfolk Co., Va. by William Stewart 1905

NICHOLSON TO HERBERT

COMPILED BY ALICE GRANBERY WALTER

21 May 1771 - CALEB HERBERT, MATTHEW GODFREY and GEORGE OLDNER witnessed the will of NATHANIEL TATEM who married DINAH NASH daughter of THOMAS.

18 Mar 1772 - LIEUT. CALEB HERBERT of Norfolk Co. Militia, Commissioned. (1.WB205 Nc)
(see also WS 331)(WS 34,55)

20 Jul 1775 - CALEB HERBERT, JAMES NICHOLSON, JOHN PORTLOCK and THOMAS NASH on Committee of Safety for Norfolk Co. (5 W' 246) (WS35)

7 Jun 1776 - Williamsburg:- "...ordered that CALEB HERBERT be retained as a MASTER BUILDER of a Shipyard upon RAPPAHANNOCK, and REUBEN HERBERT for such yard in YORK Co., Va., and each of them are desired as soon as possible to engage a proper number of workmen for building two Rowe Gallies to be employed in each of the said Rivers for the purpose of transporting troops across them, according to resolution of Convention. (Calendar of Virginia State Papers - Vol 8 p 191)

&

1776 - Ordered that CALEB HERBERT be engaged as a MASTER BUILDER for the SHIP YARD to be established on RAPPAHANNOCK RIVER, and REUBIN HERBERT for the yard to be established on YORK RIVER; and they are respectively desired to proceed with the greatest expedition to procure a proper & sufficient number of Workmen to build, for each River, two Row Gallies, for the purpose of transporting troops, according to a resolution of the General Convention. (Journals of the Council of Safety of Va. Ed: by H. R. Milwaine. Pub. Va. State Library 1931 p 7)(see also - Journal of the Cumberland Committee C of S 1176, 9.)

12 Apr 1776 - GEO. MASON in a letter to GEO: WASHINGTON mentioned that he had under his charge two row-galleys of 40 or 50 tons burden, each to mount light guns, 3 & 4 pounders; and the sloop, AMERICAN CONGRESS, a fine stout vessel of 110 tons burden, mounting 14 carriage guns 4 & 6 pounders & was considering mounting 2 - 9 pounders upon her main boom. (Jamestown Booklet 22 pp 47-48) The same item about Caleb as above is included in this booklet worded the same as above.

18 Feb 1779 Recorded 15 Apr 1779 - ARGILE HERBERT, Marriner to CHARLES SMALLWOOD, Blacksmith for £ 300 one lot at FERRY POINT or WASHINGTON TOWN #3 devised to ARGILE by HENRY HERBERT. Wit: PETER BUTT, THOS: NASH, and JESSE SIKES. (Bk J pp 15-16 Nco)

19 Feb 1779 - CALEB HERBERT as heir at law of his brother CHRISTOPHER HERBERT, brother JAMES HERBERT was a witness to the will of CHRISTOPHER HERBERT, making it illegal, so CALEB confirms bequests made in will of CHRISTOPHER to brothers JAMES & JONAS HERBERT. Mentions "my father HENRY HERBERT". (27 DB 70-71 Nco)

22 Feb 1779 - JONAS HERBERT of ST. BRIDES PARISH in his will names: brother CALEB's daughters TALETHA & LYDIA HERBERT. (2 WB 196)

8 Apr 1779 - CALEB & JAMES HERBERT executors of HENRY HERBERT, to EDMOND ALMAND 2 lots at FERRY POINT # 17 & # 19. Wit: SAMUEL PORTLOCK, WM: ROBINSON, MATT: GODFREY & JOHN PORTLOCK. (Book J p 12 Nco)

17 Jun 1779 - CALEB & JAMES HERBERT executors of HENRY HERBERT, to CHARLES SMALLWOOD for £ 401, lot #4 at FERRY POINT or WASHINGTON TOWN. (J pp 17,18)

1782 - In a list of white and black persons from the FERRY POINT to GREAT BRIDGE: CALEB HERBERT - 7 whites and 10 blacks. (5N5)

1783-1785 - CALEB & JAMES HERBERT to ANDREW CARSON (28 DB 87Nc)

1783-1785 - CALEB & JAMES HERBERT, land at FERRY POINT to WILLIAM HERBERT. (28 DB 88Nc)

3 Apr 1788 Rec 18 Apr 1788 - CALEB & MARY HERBERT (widow of ARGYLE) to WILLIAM HERBERT - Whereas JONATHAN HERBERT did sell his brother ARGYLE HERBERT land herein mentioned, but made no conveyance and by will of ARGYLE it appears he intended his widow, MARY, to have it, JONATHAN made deed to MARY dated 15 Jul 1785, confirmed by CALEB who is eldest brother and heir at law to ARGYLE. CALEB & MARY sell to WILLIAM HERBERT for £ 55 a lot in WASHINGTON.....Wit: SAMUEL HERBERT, EDWARD HERBERT and JAMES DAVERSON. (30 DB 206-208)

2 Sep 1788 Rec 22 Jan 1790 - WILLIAM and wife, LOVE NICHOLSON to CALEB HERBERT for £ 600 land on North side of the WESTERN BRANCH of ELIZABETH RIVER, at head of JOHN HOLLOWELL's land, 118 acres, adj. corner THOMAS HOLLOWELL, MURRAY's line, SLAUGHTER LAND purchased by JOHN NICHOLSON decd. of MARGARET SIMPSON of Liverpool, England exex. and JAMES ROBINSON exor of JAMES SIMPSON decd of said place. Deed dated 15 Dec 1760 proved and recorded in Norfolk County. Wit: BEN: JORDAN, JOHN TRIMBLE, HILLARY BUTT. (see NICHOLSON CHART same land WM: inherited)(31 DB 191-193)
[NOTE: WM: NICHOLSON = 6 Jul 1773 (Win²) = LOVET TATEM orphan of NATH'L. TATEM, decd.]

17 Sep 1788 Rec 22 Jan 1790 - CALEB and wife, ANNE HERBERT, of Norfolk County to WILLIAM HERBERT of BOROUGH of NORFOLK for £ 177, land in Norfolk County on North side of WESTERN BRANCH, head of JOHN HOLLOWELL, 118 acres. SAME LAND AS ABOVE. Wit: same as above (31 DB 193 Nco)

CALEB HERBERT was Surety on Marriage Bond of TABITHA HERBERT = 7 Dec 1792 JOHN LIVINGSTON. (Win²) As TABITHA LIVINGSTON who witnessed the 1816 will of ELIZABETH HERBERT.

INDENTURE 17 Dec 1792: ROBERT THOMPSON and ELIZABETH, his wife, of Norfolk County to NASH and HERBERT of the same place. ROBERT and ELIZABETH THOMPSON for £ 25 sell to NASH and HERBERT land on the SOUTHERN BRANCH in the PARISH of PORTSMOUTH containing 50 acres, adjoining ROBERT KINDER, a corner tree of JOHN BASS, being land that my father, ISAAC THOMPSON, bought from HENRY LOWE as appears by deed recorded in Norfolk County at a Court held 18 Feb 1779, and devised by will of ISAAC THOMPSON to me. Wit: ANDREW KIDD (34 DB 44a, 44b, 45a Nc)

18 Oct 1796 - JONATHAN HERBERT and NANNY HERBERT to BUSTIN. (37 DB 11 Nco)

1797 - JONATHAN HERBERT to his son HENRY. (37 DB 31)

1797 - JONATHAN and ANN HERBERT to ANN, relict of CALEB HERBERT. and (p74) JONATHAN and ANN HERBERT to MAXIMILLIAN HERBERT. (37 DB 73 Nco)

JONAS HERBERT OF THE PARISH OF ST. BRIDES, NORFOLK COUNTY, MARINER

(HENRY⁴, THOMAS³, JOHN II², JOHN¹)

b bef 1755 wd 22 Feb 1779 wp Aug Court 1782 Exor: brothers JAMES & JONATHAN
Wit: none listed and names were not given when will was probated (2 WB 196 Nco)

to my brother JAMES HERBERT slaves negro man Sharper & boy Joe & boy Will and a negro wench Peg and all her increase and all my silver plate vizt: 12 large table spoons, 1 soup spoon, 12 tea spoons, 1 tea strainer, 4 salt stands, & glasses for do., and 4 salt shovels for do., one milk pott, 1 pair sugar tongs, and one seal skin trunk and 1 middle size looking glass with guilt frame, 1 carved Mahogany bedstead compleat with suite of red & white curtains and 1 bed quilt to suite the curtains and 1 bed and furniture, 1 tea shist, 1 tea table, 1 case of knives & forks with white ivory handles containing 2 dozn. 1 sett of Tongs & Shovel, 1 pair of fire dogs.....

to my brother ARGILE HERBERT my lott of land in the Town of Norfolk that was given me by my brother CHRISTOPHER HERBERT he paying my brother JONATHAN £ 200 as soon as he takes possession of it also all my Sea Books & Charts and my Hadlies Quardrant, my sea trunk with black leather, also 1 mahogany desk & book case which now lies in MR. EDWARD MOSELY HOUSE in Princess Anne, 6 mahogany chairs & 1 armed do. with hair bottom, 2 large mahogany tables, 1 large clock which stands in my Mothers Hall, 1 pare of large looking glasses with quilt frames also 1 mahogany bedstead with suite curtains and 1 feather bed and furniture which was given me by my father

to my brother HENRY HERBERT my negro girl Betty with her future increase, 6 mahogany chairs and 1 armed do with hair bottoms and 2 mahogany tables and small looking glass with guilt frame but in case my brother HENRY should depart this life without heir I give the above negro Betty and her future increase and all the furniture which I have given my brother HENRY I give the same to my brother JAMES HERBERT and his heirs forever.....

to my brother JONATHON HERBERT my negro boy Frank and girl Amey with her future increase, 1 mahogany table, 4 Wenser chairs which now lies at CAPT. WM. CALVERTS...

to my sister LYDIA PAYNE my negro man Jack, 1 large Wilton Carpet, 2 Japannd Waters one Seal Skin trunk, 1 bed and furniture.....

to my sister ABIGAIL HOPKINS my negro girl Bess with her future increase, 1 feather bed and furniture, 2 Japannd Waiters (trays), 1 seal skin trunk, 1 mahogany candle stand, 1 pair steel snuffers & stand

to my brother JAMES son CHRISTOPHER HERBERT my lott of land at Ferry Point Lot #2 but in case my brother JAMES son CHRISTOPHER should depart this life before he comes to the age of 21 years then my desire is for the said lot of land to fall to my brother JONATHAN HERBERT and his heirs forever.....

to my brother JAMES HERBERT all my kitchen furniture, 1 pair brass candle sticks all xxxx Chiney Glass and Eartherware.....

to my CALEB (word brother was left out) HERBERTS daughter TABITHA HERBERT 1 red silk umbrella, 1 gold mourning ring, 1 pair sleeve buttons with a hair Sypher FH, and £ 100 in cash to be laid out at interest till she arrives to the age of 21 years or at her marriage.....

to my brother JAMES daughter ANN HERBERT £ 100 cash to be put out at interest till she arrives to the age of 21 or at her marriage.....

...my will and desire is that all my table linnen, bed linnen & furniture which I have not already given away and my household furniture which I have not already

given away be equally divided between my brother HENRY HERBERT & JONATHAN HERBERT and my desire is that my brother JAMES HERBERT may have all my wareing apparrell of every kind and my desire is that my brother CALEB HERBERT may have my large family Bible.....

After my just debts and funeral expenses are paid and satisfiedif there should be any of my estate left to be equally divided among all my brothers & sisters to each an equal share all my debts either by Bond book debts or other ways may be collected as soon as possible the money arising to be Equally divided among all my brothers and sisters to each an equal share.....

JONAS apparently did not marry, or had lost his wife, why then, did he own so much household equipment?

He left 6 beds, 4 with furniture and kitchen furniture

12 mahogany chairs & 2 mahogany armed chairs with hair bottoms

4 Wensers chairs.

4 mahogany tables, bookcase, mahogany candlestand, snuffer stand

A large clock, 4 mirrors with gilt frames

4 trunks

Sea Books, charts & Hadlies Quadrant

China, glass and earthenware

Table Linnen and bed linnen

a red silk umbrella, pair of sleeve buttons, 4 japannd waiters (trays)

Sliver Plate:

12 tablespoons, 12 teaspoons, 4 salt stands with glasses & shovels and 1 pair of sugar tongs

2 dozen knives and forks with ivory handles

a set of tongs and shovel and 1 pair of fire dogs

He only named four slaves in his will: Betty, Frank, Amey and Bess

His father left him a negro named Sharper and 1 bed and furniture and forgave him any debts he owed his father.

This is a most interesting will and should be compared to CHRISTOPHER HERBERT'S 1772/1774 will. Most of the things JONAS is leaving apparently originally belonged to his brother CHRISTOPHER.as CHRISTOPHER'S Inventory 1774 will show.

CHRISTOPHER HERBERT⁵, HENRY⁴, THOMAS³, JOHN², JOHN¹ OF ST. BRIDES

b

wd 18 May 1772 wp Apr Court 1774 as p Order Book (2 WB 30 Nco) or (2 WB 37)

Wit: JAMES HERBERT & LEMUEL BARRINGTON

Exor: no exor named & is not given in the probate

.... unto my loving FATHER & MOTHER my Pugh in Norfolk Church to their (own) disposing of after their Lives.....

... unto my Brother JONAS HERBERT my lot and House in Norfolk Town the said JONAS HERBERT to pay his brother JONATHAN HERBERT £ 125 Current money of Virginia to my decease.....

to my dear MOTHER my Negro Jack for her Lifetime and after her death to my brother JONAS HERBERT to him and his heirs forever

to LYDIA CAWSON (nothing follows her name but a dash) but (it follows immediately after JONAS and is probably the reason that some published works have said that she was the Mother of CHRISTOPHER) (CHRISTOPHER's sister LYDIA HERBERT married in 1768 ROBERT CAWSON Win² as her 1st of 3 husbands (AGW))

to my brother JAMES HERBERT my Negro Boy Nepton to him and his heirs forever.

to my brother HENRY HERBERT my Negro Boy Backus

to my brother JONATHAN HERBERT my Negro Boy Will

to my Sister ABIGAIL HOPKINS my Negro Boy Joe after my just Debts are paid all the rest of my Estate of what kind soever to equally divide amongst all my Brothers and Sisters.

my Negro woman Criss (to) CALEB HERBERT and her increase.....

CHRISTOPHER HERBERT & SEAL

INVENTORY of the ESTATE OF CHRISTOPHER HERBERT, Deceased (Appr. Bk. 1 p 174 Nc)
VIS:

One Desk £4	One Pair of large Money Scales 10/	One Mahogany oval table 40/	£6.0.0
One Gun £4,	One Case of fifteen bottles 20/	One Marble Bowl 5/	5.5.0
One Mahogany Bedstead &c 60/	One Quadrant £ 5.0		8.0.0
One Mahogany Tea Chest 10/	One Mahogany oval table 15/		1.5.0
Twelve Mahogany Chairs & three arm'd d°	8.0		8.0.0
One large mahogany Ditto 40/	four cases Knives & Forks 2 large & 2 small 80/	6.0.0	
One falling tea table 40/	one seal skin trunk & parcel of books 40/		4.0.0
A parcel of China Ware Glasses &c 60/			3.0.0
One Chest of 4 dozen pieces of coarse China 40/	Eight picture frames 15/		2.15.0
One Sea Chest 15/	A parcel of Iron Shott 10/	Two Goats 15/	2.0.0
One Negro Man Jemmy £25	One negro woman Crease £25		50.0.0
One ditto Boy Baccus £40	One ditto boy Neptune £35		75.0.0
One ditto Boy Billey			27.0.0
		£	198.5.0

NORFOLK COUNTY in obedience to an Order of the said Court bearing date the 19th day of May 1774 we the subscribers have accordingly mett being first Sworn before JOHN PORTLOCK, Gentleman a Justice of the Peace for the said County have appraised the Estate of CRISTOPHER HERBERT deceased Amounting to £ 198.5.0.....

Signed: NATHANIEL TATEM, H. L. NASH & JOHN NASH

August Court 1774 This Appraisement was returned. Teste SAM BOUSH ClCur

ARGYLE HERBERT MARINER OF NORFOLK COUNTY, VA.

HENRY⁴, THOMAS³, JOHN II², JOHN I¹

b

wd 10 Sep 1784 wp Jul 1785 (by THOMAS CRAFTS further pvd 15 Dec 1785

Other wit: RALPH GOFFEGAN (by GEORGE JACKSON JR.

Exors: WILLIAM CUNGLINGHAM & JAMES BOYCE, friends.

"In the name of God Amen. I ARGYLE HERBERT of the PARISH of PORTSMOUTH in the county of Norfolk and state of Virginia being in health of body and of sound mind and memory.....

to my loving wife MARY HERBERT all my real and personal estate during her natural life and at her disposal provided she has no child by me the said estate at her death shall be the property of the said child and its heirs. "

His brother JONAS left him all of his Sea Books, Charts, Sea Trunk and Hadlies Quadrant. (2 WB 165)

From his father he inherited 2 lots at FERRY POINT and the PLANTATION called BASSETS on the SOUTHERN BRANCH.

ARGYLE was Commander of the NORFOLK REVENGE 12 Jul 1776, Caswell Galley, First Lieutenant 5 Dec 1776. He resigned 29 Apr 1779. (VN 200) He served on the NORFOLK REVENGE until it was sunk in May 1778. (W⁵44)

= 20 Jan 1784 (Win² and 5 N 115) ----- NO ISSUE

MARY TUCKER

b

d

5 Jun 1776, Williamsburg - A warrant drawn for £ 100 upon account to pay the Carpenters employed on his Galley. (8 C 187)

HEIRS-AT-LAW in 1834: SALLY TUCKER, a sister; FRANCES GILL a niece of MARY HUNTER, the widow and devisee. (Win⁵44, BH 1428, MC 2 p332)

May 1778 - 22 Mar 1834 - "Heirs at Law" his sister, MRS. ABIGAIL OSBURN of RICHMOND, 4 sisters of his wife ELIZA, ANN, BARBARA & SALLY TUCKER of Norfolk County. Ann and Barbara died without issue. ELIZABETH married HENRY SPARROW and died leaving WILLIAM SPARROW who was lost at Sea, and FRANCES, wife of JAMES GILL. Deponents knew of no other ARGYLE HERBERT in Norfolk County. ((Win⁵ 44)

In 1836 Some Revolutionary War Veterans: ARGYLE HERBERT, Lieut, State Navy. HEIRS: widow MARY HERBERT, her sister SALLY TUCKER and her niece FRANCES GILL. (Va. Genealogist 2 p 32)

JAMES HERBERT⁶, CALEB⁵, HENRY⁴, THOMAS³, JOHN II², JOHN I¹

b after 1771 wd 24 Sep 1814 wp 18 Apr 1815 Norfolk County, Va. (2 WB 208 Nc)
wp by EDWARD HALL and JOHN PORTLOCK EXORS:

Exors: " my brothers MAXIMILLIAN HERBERT and JOSHUA HERBERT" The executors named in open Court refused to take upon themselves the execution thereof, and upon the motion of ELIZABETH HERBERT who made oath thereto and together with MAXIMILLIAN HERBERT and ANDREW CARSON her Securities entered into and acknowledged their bond in the penalty of \$20,000. conditioned as the law directs certificate is granted her for obtaining letters of administration on the said decedents estate with his will aforesaid annexed in due form. Teste WM: WILSON ClCur

..... being sick of body &c

to wife ELIZABETH HERBERT all the negroes of which I am now possessed during her life or widowhood, the profits arising from their labor to be applied to the support of herself and my children; at her death or marriage it is my will that they should be divided in the following manner:

to my son EDWARD HERBERT my negro man Tom and Moses
to my son CALEB HERBERT my negro men Sandy and Jonas and boy John
to my daughter ANNE HERBERT Mary, Sylvia and young Mary with their increase
to my daughter KEZIAH my negro women Hannah, Edy with their increase
to my daughter JANE my negro women Rachel and Luenna with their increase
to my daughter ELIZABETH my negroes George and Sarah with her increase

It is my will and desire that after the decease of my mother my negro Exxex should be sold and the money equally divided among my children.

It is my will and desire that the negros which will come to me after the decease of LEVEY McCOY which I purchased of ABRAHAM DEACON should also be disposed of and the money divided in the same way.

..... that my undivided interest in Toney & Sam now in possession of my Mother shall after her decease be sold and the money equally divided among my children.

I hereby acknowledge to have received payment from my brother MAXIMILLIAN HERBERT for negro woman Betsy for my undivided interest sold to him.

..... that all my land at WASHINGTON POWDER POINT included within the following boundaries and which have been laid off into lots by GEORGE NICHOLSON, County surveyor, viz: east from the fourth street adjoining the lands of GEORGE MURRAY should be equally divided among my children and the residue of the land at Powder Point to be disposed of for the payment of my just debts.

to my wife ELIZABETH all my stock plantation utensils and household and kitchen furniture to be disposed of as she may think proper.

to my son EDWARD the plantation on which I now reside together with all the lands adjacent to it from the east side of JOSIAH McCOYS to west side of ROBERT BUTTS land together with all the poquoson land adjoining it.

to my son CALEB HERBERT all the lands belonging to me situated in that part of Norfolk County called the elbow, reserving to my wife ELIZABETH the rise of all the lands bequeathed as above to my two sons with the privilege of cutting and selling timber or wood for the support and maintenance of herself and my children until they shall arrive at the age of twenty-one.

..... that the land I purchased at JOSHUA McCOYS sale should be sold and the balance due from the purchases be paid and the residue be applied to the payment of my debts. All debts due to me of every description whatsoever I desire may be applied to the payment of my just debts, and the residue if any to my wife.

ELIZABETH HERBERT, wife of JAMES HERBERT⁶ son of CALEB⁵

b wd 12 Mar 1816 wp 20 Mar 1816 by LEMUEL K. JENNINGS & TABITHA LIVINGSTON. (4 WB 229 a & b)

Wit: SAMUEL K. JENNINGS, TABITHA LIVINGSTON and LUCRETIA HERBERT

Exor: friend MAXIMILLIAM HERBERT

It is my will and desire that the tract of land known by the name of The Elbow Tract shall be kept and be subject to the cutting of timber and lumber &c for the benefit of my four daughters in common till the youngest living shall arrive at the age of maturity & then I bequeath it in fee simple to my son CALEB HERBERT.

... secondly I bequeath the plantation which is my place of residence with its appurtenances to my son EDWARD HERBERT. (Edward Henry Herbert)

Thirdly: I desire that things should be kept together as they now are upon the plantation till the present crop is made and finished and then to be subject to the disposal of my executor in conformity to the design of this my last will and testament

ELIZABETH (X) HERBERT

At a Court held for Norfolk County 20 Mar 1816proved by the oaths of LEMUEL K. JENNINGS & TABITHA LIVINGSTON witnesses thereto and ordered to be recorded. And upon the motion of MAXIMILLIAN HERBERT the executor therein named who made oath according to law and together with JOSHUA HERBERT his security entered into and acknowledged a bond in the penalty of \$6,000. conditioned as the law directs certificate is granted the said MAXIMILLIAN HERBERT for obtaining a probate thereof in due form.

Teste WM: WILSON CC

JAMES HERBERT UNCLE OF ABOVE JAMES AND FATHER OF CHRISTOPHER

1774 - JAMES HERBERT bro. of CHRISTOPHER, JONAS, JONATHAN, LYDIA CAWSON, HENRY HERBERT, ABIGAIL, CALEB HERBERT. (2 WB 37 Nc)

1778 - son of HENRY & ABIGAIL HERBERT (J p 12 Nc)

1779 - JAMES HERBERT had witnessed the will of his brother CHRISTOPHER HERBERT making it illegal so bequests in CHRISTOPHERS will are confirmed by CALEB eldest brother of CHRISTOPHER & heir at law. (2 WB 30 Nc)

1782 - JAMES HERBERT ----- 7 whites - 8 slaves (5N5)

1788 - HENRY & PEGGY HERBERT sell land to JAMES BRUCE NICHOLLS bounded on West by the Southern Branch, on North by the middle of Poplar Point Creek, East by the Ferry Point Road and South by the land of JAMES HERBERT. (31 DB 18-20)

6 Feb 1790 - An act to confirm the sale of a lot of land made by JAMES HERBERT as Guardian of his son CHRISTOPHER HERBERT and for other purposes: Passed 6 Feb 1790.

WHEREAS: on certain lots in the town of Washington as the most proper and convenient place on which to erect a Marine Hospital one of the lots belongs to CHRISTOPHER HERBERT an infant under the age of 2] years Commissioners appointed to value the lot - JOHN PORTLOCK, THOMAS NASH and others.

JAMES HERBERT to pay to the sitting justices of Norfolk County Court for benefit of CHRISTOPHER. (13 H 223)

14 May 1791 Recorded 16 May 1791 - JAMES HERBERT of the Borough of Norfolk, guardian of his son CHRISTOPHER HERBERT, an infant, under 21, sells to the Commissioners for the MARINE HOSPITAL, lot #2 in Washington, for £ 100, the same lot which JONAS HERBERT devised by will to his nephew CHRISTOPHER. (32 DB 205-8 Nc)

24 Mar 1795 Recorded Jul 1795 - JAMES HERBERT and wife DINAH to THOMAS TATEM for £ 25 lot in Washington #13. Wit: ROBERT HERBERT, SHELDON TOOMER, FANNY TOOMER.

(NOTE: This JAMES is son of HENRY & husband of DINAH TATEM) (35 DB 197-8 Nc)

EDWARD HENRY HERBERT⁷, JAMES⁶, CALEB⁵, HENRY⁴, THOMAS³, JOHN², JOHN¹

b 19 Dec 1806 in Norfolk Co. d 4 Dec 1862 at Level Green in Norfolk County, Va.
wd 1 Dec 1862 wp 5 Jan 1863 by H. B. WOODHOUSE & E. A. TATEM the subscribing witnesses.

Exor: my friend ARTHUR R. SMITH

I desire [if in the judgement of my Executor or administrator it be for the best interest of my estate] that my real estate, or so much thereof, as he may think necessary, be sold for the payment of my debts.

Secondly, I desire that all my slaves that have remained faithfully with me, or such as may continue to remain with the family may not be sold.

Thirdly, I desire that my wife MARGARETT A. HERBERT may have the use of such chattle estate upon the farm which I now occupy as may be necessary in her judgment to cultivate it and support the family until the settlement of the estate.

Fourthly, after the payment of all my just debts, I give to my wife MARGARET A. one third of all my real and personal estate, and the balance to be divided equally among all my children, with the exception of my daughter LAURA, who is now LAURA McALPINE, and who has in my judgment already been provided for.

Fifthly I direct upon the payment of the balance of the purchase money and interest for a tract of land sold to DR. JAMES McALPINE containing 50 acres more or less that my executor or administrator make him a deed for the same.

Sixthly I desire that a just and liberal compensation be allowed my daughter ANNE for the education of my children, provided she be willing to undertake the same.

Lastly, I appoint my friend ARTHUR R. SMITH my executor.

Wit: H. B. WOODHOUSE & E. A. TATEM

EDWARD H. HERBERT SEAL

1850 -	EDWARD HENRY HERBERT	owned 56 slaves	(1 N 41)
1860 -	" " "	owned real estate valued at \$43,000	(2 N 7)
		owned personal property \$21,824	
1859 -	" " "	owned two carriages at a value of \$200.	(2 N 43)
1859 -	" " "	owned watches 150. (must mean value of \$150.)	(4N49)
1859 -	" " "	owner of piano and harp - value \$250.	(2 N 46)
1860 -	" " "	owned 29 slaves and employed 1	(1 N 14)
			(

He married in 1842 at Level Green as his (2) wife:

MARGARET ANNE TATEM DAU OF NATHANIEL PORTLOCK TATEM

b 15 Nov 1815 in Princess Anne County wd 2 Jan 1870 codicile dated 2 Jan 1870
d 14 Feb 1870 wp 9 Mar 1870 (4 WB 487)
wit: W. M. NASH & L. E. FRANCIS (name may be H. M. NASH)

I, MARGARET ANN HERBERT do hereby acknowledge this writing to be my last will and testament. to my beloved sister ELLEN C. TATEM my own chamber furniture and \$3000. out of the proceeds of my Estate and request her to bequeath a like amount at her death, to the most needy of my then living children.

to my infant daughter ELLEN C. HERBERT \$1000.

to my daughter ALICE HERBERT having injudiciously signed papers which may cause her to loose a part if not the whole of her portion of her fathers estate, I desire my executor to pay to her out of the proceeds of my own estate a sum sufficient to make up her loss thereby, or in other words to make her means equal to those of my children MARY N. and ARTHUR E. HERBERT.

I desire my executor to purchase for my son ARTHUR E. HERBERT a gold watch of good material workmanship as a memorial for myself.

To my daughters ALICE and MARY N. HERBERT each a set of chamber furniture and jointly the pictures and piano and also the silver.

to my son ABNER T. HERBERT my parlour and dining room furniture not otherwise bequeathed.

Should the proceeds of my estate exceed the amounts above bequeather, the excess must be equally divided among my children and I hereby appoint my son ABNER T. HERBERT my executor

Codicile Dated 2 Jan 1870

I MARGARET ANN HERBERT, the within named testator do make this present Codicil which I own and direct to be taken as a part of my within written last will and testament:

ITEM: I do hereby revoke that portion of my said will [but no other] which is written in these words: " I bequeath to my son ABNER T. HERBERT my parlour and dining room furniture not otherwise bequeathed, should the proceeds of my estate exceed the amount above bequeathed, the excess must be divided equally among my children;" and do hereby instead of the said bequests and devises substitute make and ordain the following:

ITEM: I give and bequeath to my daughter in law CHARLOTTE A. the wife of ABNER T. HERBERT and to her children forever to be held to her sole use and free from any and all debts and liabilities of my said son ABNER T. HERBERT my parlour and dining room furniture not otherwise bequeathed.

ITEM: Should the proceeds of my estate exceed the amounts above bequeathed, I desire and do hereby direct that the excess shall be equally divided between my children ALICE, MARY N., ARTHUR E., and ELLEN C. HERBERT and my said daughter in law CHARLOTTE A. the wife of my said son ABNER T. HERBERT the said portion so divided to my said daughter in law CHARLOTTE V. HERBERT to be held to the sole use and benefit of herself and her children and to be held free from any and all liabilities of my said son ABNER T. HERBERT, The portion of my said will not hereby altered and revoked, I do hereby ratify and confirm fully. In witness whereof I have hereunto set my hand and affixed my seal this the 2nd day of January A. D. 1871. (Date difers from 1870 at top of will.)

WIT: LAURA McALPINE & ELIZABETH JOHNSON MARGARET ANNE HERBERT & SEAL



INDEX

IMPORTANT

PLEASE READ THIS BEFORE ATTEMPTING TO USE THIS INDEX.

All of the charts and pages of this book have been indexed and unless these instructions are read and understood the index could be confusing because of the code letters for the charts.

The charts are indicated by letters for the particular chart and the number indicates the column on the chart in which the name appears.

C = The Edward Lord Herbert of Castle Island, Co. Kerry, Ireland

D = The Derivation of the Herbert Family Chart 613 AD - 1469

E = The Chart titled Herbert in England 1424 - 1700s

M = The Muckross Castle Chart in Ireland

P = The Pembroke Chart

V1, V2A, V2B, V2C, V3 & V4 = The six charts titled Herbert in Va.

W/H = The Chart headed CAPT. THOMAS WILLOUGHBY showing the Herbert connection.

Y = Yates Family in England, British West Indies and Lower Norfolk

V4⁸ would mean that the item or name appears in column eight of the Herbert in Virginia Chart number four.

Other smaller charts throughout the book are index by page numbers.

ABBOTT, Thomas	24	ALLMAND, Edmond	58; Edward	63
ABINGTON, Esq, Wm.,	E	ALLMON, Anna Aphia	V3 ¹	
ABYVON, Geo. 54; Sarah	W/H	ALLMOND, Lucretia	V3 ¹	
ADALOLF	D	ALMAND, Edm. 55; Edmond	66	
ADAM son of Reingold 3; Jen-		ANDERSON, Frances	E	
Kin 3; ap Reginald D; Sir		ANSEGISIL	D	
Thomas, Kt. 3; ADDAM 3,		APPLEWHITE, Thomas	53	
ADELA D; ADELAV D; ADELLA D		ARLETE	D	
AETHRYTH D; AETHEWULF	D	ARMISTEAD, Elizabeth 2C ³ ;		
AGMONDISHAM, Dyonisia	E	Judith 2C ³ ; Miss	V3 ²	
Edward, Esq. E		Moseley	2C ²	
ALBERT D; II	D	ARNULF, D; I D; II	D	
ALESCETER	D	ARON, Syr, ap Rees	3	
ALES, St. John	D	ARUNDELL, Anne	E	
ALFRED THE GREAT	D	AYRES, Lady	21	
ALICE	D			
ALLEN, Mr. Thomas	12	BACHELOR, Rich	27	
ALLERTON, Frances, Isaac,		BACON, Sir Francis	11	
Mary, Sarah, & Willoughby	W/H			

ALL DOCUMENTARY REFERENCE IN THIS BOOK IS TO LOWER NORFOLK COUNTY, VIRGINIA OR NORFOLK COUNTY, VIRGINIA UNLESS OTHERWISE NOTED.



BAIN, Mary V3⁴
 BALADON, Dru de D
 BALDWIN, I, II, III, IV, V-D
 BALLANTINE, 61; Alexander Y⁴
 Ann 60, 61; Daniel Y⁴; David
 51, 52, Y⁴; Dorothy Y⁴; Eliz-
 abeth 51, Y⁴; Geroge 31;
 Sarah Y⁴
 BALLENTINE, Frances 31, 51,
 Y^{2,3,4}, V1²; V4²; George 51,
 V1^{1,2}, V4^{1,2}, Y^{2,3,4}; Jno. 44;
 John 45, Y⁴; Margaret V1³,
 V4³, Y⁴; Mary Y⁴; Richard
 41, 59, Y⁴; Thomas 51, Y⁴;
 William 47, 51, Y⁴
 BANKES, Eliz. 25
 BANNING, Ann & Paul E
 BARLOW, Henry & Thomas 24
 BARRENTON, Wm. 35
 BARRINGTON, Lemuel 70
 BARRON, Commodore James V2C³
 James, Jr. V2C³
 BARTEE, Saml. 65; Samuel 65
 BARTHRAM, Jonathan Y1,2
 BASS, John 67
 BASTAPLE, Geo. E; Mary E
 BATCHELDER, V2A¹
 BATCHELER, Ann V2A¹;
 Elizabeth 36
 BAUGH, John E; Mary E
 BAUGHAN, V3²; Howell 3
 BAWDRIP, Sir Wm. E
 BAWDT, Mary 52
 BAYLEY, Wm. 47
 BAYLOR, Dr. Baynham W/H
 BEALE, Eva V3⁴; Reuben V3⁴
 BEATRIX D
 BEAUFORT, Lady Joan de 6
 BEGGA D
 BELL, Alexander Herbert V3⁴
 V4¹⁰; Alice Herbert V3⁴, V4¹⁰
 Edward Henry Herbert V3⁴, V4¹⁰
 Ellen Catherine V3⁴, V4¹⁰;
 Margaret V3⁴, V4¹⁰; Mary Her-
 bert V3⁴, V4¹⁰; Norman V3³, V4⁹
 BENION, John E
 BENNETT, Mary 27, C, V1¹, V4¹,
 W/H; Richard, Esq. 24
 BERENGARR D
 BERKELEY, Edmund V3⁵
 Sir Jas. D; Sir Wm. 24
 BERNARD, King of Italy D
 BERRARD, Paul E
 BERTHA D
 BIGGS, Eugenia V3³; John 26
 BILLUNG, Hermann D
 BLAKE, John 35

BLANCH, Tho. 27
 BLEDRY 3
 BLETHYN 3
 BLUET, Elizabeth D; Sir John D
 BRETT, Eleanor 59; Robert 59
 BREWSTER, Frances E; Francis
 E; Lucy E
 BOGSWILL, Capt. Wm., decd. 35
 B(ONS?), Jos 24
 BOSAKER, Edward Y1,2
 BOUSH, Arthur 49, 53; Herbert
 Mallory V3⁴; Nathaniel W/H;
 Sam. 64, ClCur 70; Samuel 53,
 59, V2B², the Elder 35, of
 Norfolk Borough 54
 BOYCE, James 71
 BRECHUA 2, 3
 BRENT, Nathaniel 18
 BROADSPEARE, Ales D; Blendlyn
 2; Blethyn 3, D
 BRADSE, Isabel D
 BRADIE, Lodowick 49, 54; Mary 54
 Brokengreen, Bledesine D
 BROLEY, Margaret E
 Sir Thomas 19, E
 BROOKS, Thomas 40
 BROWN, Frances E; Francis E;
 John 64; Sir Nicholas E; Will
 Esq. C, E
 BROWNING, Joane 13, 15, 18, C
 BRUCE, Thomas 36
 BRUDINGTON, Sir Henry E
 BURGER, George Wright 49
 BURGESS, George Wright 53
 BURRAS, Ann 29
 BURROWS, Christopher Y³
 BURSTON, Christo. Y1,2
 BUSTEN, Capt. William 59; Wm. 41
 BUSTIN 67
 BUTLER, Mary (Polly) V2C³
 BUTT, Ann 65; Fanny 40, Henry
 35; Hilary 67; James V2A³;
 John E. 40; Peter 66; Robert,
 26, 72; Dr. Robert Bruce V2B³,
 V4⁷
 CALVERTS, Capt. Wm. 68
 CAMP, George W. W/H
 CANADY, Robert 35
 CANNADAY, Robert 35
 (CAR?)PENTER, Mr. John 16
 CARSON, Andrew 58, 67, 72
 CARVER, Will. 25
 CATHERINE, Queen 5
 CAUSINGTON, Walter Y1,2
 CAWSON, Abigail 55, 60, 61,
 64, V2B¹, V4⁵; Ann 60, 61;
 Argal 60; Argile 60; Argill

61; Christopher 60, 61, 64
 Janet 42, 59, 60, 61, V2B'
 JONAS 55, 60, 61; Kezia 60, 61;
 Lydia 70, 73; Robert 70, V2B²
 CESAR, Esq. E
 CHANDOS, Elizabeth dau of C,
 E, M³; George Baron C, E
 CHARLEMANGE 43, D
 CHARLES, I - 12, 14, 18, 20;
 the Bald D; II restoration of
 C; V, Emperor 3; King of
 Franconia D; the Simple D
 CHASE, Huddy Y³
 CHERRY, Faithful 35, V1²;
 Joseph 35; Thos. 35
 CHILDEBRAND D
 CHRISTIAN (see Xtain) D;
 Matthais 55
 CHURCH, Abigail 55
 CLARENDON, Lord 12
 CLARKE, Jno. 25
 CLAYPOLE, Rachel E; Wm. E
 CLIFFORD, Anne P
 CLYD, Wulfnoth D
 COCK, John 47
 COKE, Sir William 11
 COLCOUGH, George W/H
 COLEMAN, Horace Wilder V3⁴, W4¹⁰
 COLLINS, Eliz: 24; John 40;
 Maude V3⁴
 COMPTON, Ann 5; Peter 5
 CONNER, Thomas 39
 CONRAD D
 CONSOLVO, Mary Elizabeth V2C⁴
 COOKSEY, Sir Thomas E
 CORBET 19; Sir Robert D
 CORONELL, Vincent Y1, 2
 CRADOCK, Margaret E
 Sir Mathew E
 CRAFTS, Thomas 71
 CRAVEN, Elizabeth E; Sir Wm.
 E; Re. Mr. E
 CRAWFORD, Collo. 48
 CREEKMORE, John Y⁴
 CROFTS, Jane E; Sir Richard E
 CROMWELL, 14, V1', C; Sir
 Oliver Kt., 11, 30, Men C
 CULPEPPER, Mary 33, 34;
 Thomas 39
 CUMMINGS, Benjamin 35; Eliza-
 beth 35; John 35
 CUNCLINGHAM, William 71
 CURLE, Judith V2B'
 CURMINE, Ann E; Sir Wm. E
 DADE, Captain Francis C
 DADFORD, Thos. Y1. 2
 DALE (see Deall) Adam, David,
 Dinah, & Frances V1³; Henry
 26, 31, 32, W/H, Y⁴, V1³,
 V2B¹, V4²; John V1³; Margaret
 V1³; Richard V1³; Thomas V1³;
 Sir Thomas Dale 11; Winfield 41
 DANVERS, Charles E; Jane 10, E,
 Sir John 10.
 DAVERSON, James 67
 DAVID, Gwlyn 3; ap Gwillem D
 DAVIDSON, Capt. Edward 42
 DAVIS, Edward 54; Harriet V3⁴
 Henry S. V3⁴; Richard 13, 15,
 18, CThomas 36, Y²
 DAVISON, Edward 64
 DAYLE (see DALE), Henry 25
 DEACON, Abraham 72
 DEAL, Henry V1³; Rich. V1¹
 DEALE, Henry 31, 32, V1²
 DEALL, Elizabeth V1³, V4⁴
 Henry, Sr. 59
 DESIDERIUS D
 Deulwyn, Ievan 2, 3
 Devereaux, Ann E; Sir Walter
 E; DEVEREUX 19
 DICKSON, Eleanor V3², V4⁸
 DIEHL, William H. V3⁴
 DRAYTON, Michael 22
 DRIVER, Charles 53
 DUGDALE, William 22
 DUNMORE, Lord 50
 DURFORD, William 51, Y², V3⁴
 DYE, William V3⁴
 EAHLMUND of Kent D
 ECGBERT D
 EDWARD III 6; IV 2; VI 4; the
 Elder D; Prince E
 EDWARDS, Giles V2C³; Jo. 25;
 Thomas 41
 EGERTON, Sir John C, E; Lady
 Mary C, E, M²
 ELIZABETH, Queen 11
 EMMA D; EMME D
 EMPEROR, ffrancis 24
 ERMENCARDE D
 ETHEREDGE, Samuel 53
 ETHERIDGE, Marmaduke Y⁴, V1²
 EUDES, I D, II D
 EUDO D
 EVERIDGE, Jno. 26
 Exeter, Thomas Earl of 11
 FEAST, Charles F. V3⁴
 FENFORD, Barbara V1²
 FEREBEE, V2A³; Ann 39, 40;
 Jno. 26, 34, 44
 FERRAR, John 30; Nicholas 30

fFEWELLIN, Abel 31
 fFEWELLEN, Abel v1²
 fFONTENE 17
 FINCH, John 23, Y²
 FITZGERALD, Barbara E; Jane E; Maurice E
 FITZHERBERT, Mathew, Peter & Reginald D
 FITSHUGH, Elizabeth 6, E; Henry 6
 FITZPETER, Herbert, Reginald & Reinrault D
 FITZREGINALD, John, Peter & Reginald D
 FITZROGER, Ales D
 FITSWALTER, Milo 3, D
 FLEEN, John 45
 FLEWELLYN, Abel 25; Hannah 25
 FORMAN, Wm. 25
 FORTIBUS, Sir William D
 FOSTER, Charles Burroughs V3³, V4⁹; Charles Edward V3⁴, Edward V3⁴; Herbert V3⁴; Laura Herbert V3⁴; Mary Brown V3⁴
 FOX, Ann E; Charles Esq. E
 FRANCIS, L. E. 74
 FRAZIER, Richard 64, 65
 GALLOP, Ellen 24
 GAM, David 2; Sir David 3, D Gwladys 3
 GATER, Jo. Y³; Joan Y^{2, 3}; John Y^{1, 2, 3}; Mary Y^{1, 2, 3}
 GARTON, Abigail E; Wm. E
 GATHER, John Y^{1, 2}
 GAUNT, Maud E
 GEILES, Henry Y^{1, 2}
 GERBERGA D
 GERBERGE D
 GERTRUDE D
 GIBBINS, Mary E
 GILL, Frances 71; James 71
 GISELBERT of Lorraine D
 GLADYS, Dame D
 GNUT D
 GODFREY, land of 65; John Y^{1, 2}; boatwright Y^{1, 2}; Jonathan 45, Mathew 66; MATT. 66; Wm. 42
 GODIFU, The Lady Godiva D
 GODIVA, Lady D
 GODWINE of Wessex D
 GOFFEGAN, Ralph 13
 GOLDEN, John 13, 18, C
 GOODRICH, Mary 25
 GOLDSMITH, Wm. Y^{1, 2}

GRANBERY, Julian Hastings V3⁴, V4¹⁰
 GRAY 19
 GREEN, Geo. 25; Wm. 25
 GREENE, Matilda 6
 GREVILLE, Sir Fulke 22
 GREY, Catherine E, P; Edmund 6; George 6; Henry E; Henry Duke of Suffolk P; John E; Lady Jane E; Matilda
 GREYSTOCK, Lord Ralph E
 GRIFFITH, Arthur V3⁵; Edward Esq. E; Jane E; Margaret E; Richard E; William Francis Roelofson V3⁴
 GRIMOALD D
 GROSBIE, Agnes Patrick E
 GRUFFYDDAP D
 GWRYN DDU 3
 GWENLLIAN D
 GWILM son of Jankyn 3
 GWINS D
 GWNTER 3
 GWYLYN 3; sp Jenkyn D
 GWYN, Evan E; Jane E; Joyce E
 GWYNNE, Matthew Kemp V3⁴; V4¹⁰
 GWYNS D
 GWYON 3
 GYTHA D
 HADLEY, Ann E
 HALE, Tho. Y^{1, 2}
 HALL, John P. V3³; Edward 72
 HALLOM, William C
 HAMILTON, James 39
 HAPPER, Mary V2B², V4⁶
 HARBER, William 12
 HARBERT, D; Ann 36; Dinah 36; Elizabeth 36; Fitzharbert D; John III of Paco 36, Inventory of 37; Margret 36; Richard son of John III 36; Thomas 36; Violet 36
 HARBETT, John 34, 35; Thos. 34
 HARBORT, Henery 48, Thomas 48
 HARBURD, John 23, 25
 HARBURT, John 23
 HARBUTT, John 34; Thos. 34
 HARDING, Harriet V2B³, V4⁷; Dr. Joseph V2B², V4⁶; Mary V2B³, V4⁷
 HARDINS, James 36
 HARLOW 25
 HAROLD D
 HARVEY, Sir John Y^{1, 2}
 HEBART D
 HENDERSON, Arthur V3⁴
 HENRY, I 2, 3, 5, D; IIII 20

HERBERT, Baron of Caerdiff 5; Baron of Cherbury 20, 21; Black Lord 10, 19; Captain 11; Chamberlain to Henry I 1; Chamberlain to Wm. Rufus D; Count of Vermandois D; Fits-Herbert 3, 5, D; Fitzroy 1, 2, D; son of Herbert 3; Lord of Castle Island co. Kerry, Ire. 20; Lord of Ragland 3, 4; in Saint Michael D; Abigail 42, 55, 56, 58, 59, 60, 61, 73, V2A^{2,3}, V2B^{2,3}, V3²; Abner T. 75; Abner Tatem V3³, V4⁹; Alice 74, 75, C, E, M³, V3³, V4⁹; Amelia V2C³; Ann 63, 64, 65, 67, 68, E, V2A^{1,2,3}, V3¹; Anne 5, 67, 72, 74, E, V3², V4⁸; Anne Elizabeth V3³, V4⁹; Annie V3³; Arabella C, E, M³; Argil 56, land of 58; Argile 66, 68; Argyle widow of 67, 71, V2B²; Arthur 39, E, V2A¹; Arthur E. 74, 75, Sir E; Arthur Edward V3³, V4⁹; Barbara E.; Barbara Curle V2C³; BASTAPLE E; Beatrice 16, C, E, M²; Bennett V3⁴; Betty 42, 48, V2A^{1,2}; Bridget E; Caleb 57, 59, 64, 65, 66, 67, 68, 69, 72, 73, V2B², V3², V4^{6,8}, son of Henry 55, will of 63, land of 58, Lieut. 66, Master Builder 66; Cathe E; Catherine E, Lady Catherine E; Cecil E; Charles E, Lieut V2B²; Charlotte 75, E, V3⁴; Christopher 56, 61, 66, 68, 69, 73, V2b², V3¹, Inventory of 70, Will of 69; Claud E. V3⁴; Claud Page V3⁵; Courtney 48, V2B²; Dinah 73, V2A¹; Dorothy E; Eastwood V3⁵; Edward 5, 13, 15, 16, 17, 18, 42, 67, 72, 73, C, E, M^{2,3,4}, Captain 17, C; Edward, Lord of Cherbury 1, 10, 13, 14, 15, 19, 20, 21, C, M¹, V1¹; Edward of Maryland 48; Sir Edward 5, E; Edward H. V3⁴; Edward Henry 73, 74, V3², V4⁸; Edwardi 18; Fliza. 37; Elizabeth 34, 35, 39, 44, 67, 72, 73, E, V2A^{1,2}, V2B², V2C³, Elizabeth Curle V2C⁴; Elizabeth James V3², V4⁸; Elizabeth K. V3², V4⁸; Elizabeth L. V3³; Ellen

Catherine V3³, V4⁹; Emmett M. V3⁴; Enoch Lowe V3²; Enos V3². V4⁸; Fanny V2A³; Florence 16, C, E, M²; Florentia E, M³; Frances 16, 42, C, E, M³; Francis C, E, M⁴; Francis Curle V2C⁴; George 10, 21, 22, 47, 48, 51, 52, poems of 10, E, V2B², Rev. E, Sir 4, E; Sir George of Swansea E; George Arthur E; Hannah 32, 48, 53, V2B^{2,3}

HERBERT, Henry 5, 11, 12, 20, 31, 41, 56, 57, 58, 59, 60, 61, 64, 66, 67, 68, 69, 70, 73, C, E, M³, P, V2B², V4⁵; Baron Henry E, Henry, Earl of Pembroke 5, 9 Arms 10, II of Second Creation E, Harness of 8; Henry of Ribbisford 14; Henry Sr. 55; Sir Henry C, P; Henry Arthur E; Henry William V3² HERBERT, Hillary V2B¹;

Hillery 41; Isabel E HERBERT, James 12, 41, 55, 56, 57, 59, 63, 64, 66, 67, 68, 69, 70, 72, 73 Land of 58, E, V2B², V2B², V3¹, V4⁸; Jane 72, E; Jane Curle V2C³; Jane Ellen V4⁸; Janet 60, 61; Jennet 42

HERBERT, Jno. 23, 26, 32, 33, Cozen 33, Ships Carpenter 35, W/H; Joannah 52, 59; Johanna V2B²

HERBERT, John 16, 23, 25, 26, 41, 53, C, D, E, M³, V1¹, V4¹, W/H John II 28, 31, 32, 33, 41, decd 28, Inventory of 32, widow of 59, W/H, V1², V4²; John III 35, 36, 41, 44, of Princess Anne Co. 28, 31, 32, 33, 34; V1³, V4⁴ John IV 36, 39, V1⁴, Shipwright V2A¹, John V will of 39 V2A²; John VI 40, V2A³, John VII 40; Cozen John W/H; John of Elizabeth City V2B¹, V2C², Lieut. V2C¹; John, Esq. E; Jr. 49; John of Kemmes E orphans of John 31, 59, W/H; Patent of John 25; John of Petersburg 12; Senr. 26; Shipwright 49

HERBERT, John, alias Wilkinson 12, 23, 27, 28; John Curle V2C³; John Marcom 47; John-Markcom 49, 54; John Markham 50, V2A^{1,3}, V2B²

HERBERT, Jonas 56,58,66,69,70
71,73, Mariner 68; Capt.
Jonas V2B²; Jonathan 56,57,
58,59,63,67,68,69,70,73, V2B²
Joseph 42; Joseph T. V3³;
Joshua 47,48,63,72,73,V2B²,
V3¹, Jr. V3²; Joshua Curle
V2C², Joshua Nicholson V3²;
Josiah 42; Joyce E; Judith
Curle V2C³
HERBERT, Katherin E; Lady
Katherine 6; Kezia V3², V4⁸;
Keziah 72
HERBERT, Laura 74, V3³, V4⁹
Lena B. V3⁴; Louis G. V3³;
Louisa V3⁴; Lucretia 73,
Lucretia Allmand V3²; Lucy E;
Lydia 39,56,66,70, V2A³, V2B²
V3^{1,2,4}, V4⁸,; Lydia Adela
V3²
HERBERT, Magdalen 10; Malcolm
50,; Marcom 40,41,59, Ship-
wright V4⁵; Marcum 48; Marg-
aret 41,44,45,53, E, V2A¹,
V2B¹, V2C²,V3⁴; Margaret A.
74; Margaret Anne 74, 75
HERBERT, Capt. Markcom, Ship-
wright V2B¹; Capt Markham 47,
48,53, V1², V2A²; Markium 41
Martha 42,64; Mary Herbert
19,20,23,42,47,48,51,53,67,71
E, M¹, V2A^{1,2}, V2B^{2,3}, V4⁶, W/H,
widow 49,54; Lady Mary C, E;
Mary Anne A. V3³; Mary Eliza-
beth V3⁴; Mary Frances V2C³;
Mary Lou V3⁴; Mary N. 74,75;
Mary Nash V4⁹, V3³; Mary
Virginia V3³; Mathew E,
Mathew of Swansea E; Matthew
E; Sir Matthew E; Maud E;
Maximillian 63,67,72,73, V2B²
V3^{1,2,3}; III V3⁴; IV V3⁴
Miles E; Sir Morgan E
HERBERT, Nancy 42,48; Nanny
67; Nathaniel 39,40,54, V2A³
Oliver E; Owen E; Pasco V2C²;
Peggy 73, Sir Percy E; Peter
36,42, V2A^{1,2}; Philip 11,12,
22, E, P; Earls of Pembroke
4th, 5th & 7th E; Phillip of
Langel E; Rebecca V3⁴;
Rebecca Amanad V3³, V4⁹;
Reubin 42, 66, Jr. 42
HERBERT, Richard 10,20,26,28
31,33,40,41,47,48,51, C, E,
M^{2,3}, W/H, V1^{1,2}, V2C³, V4²,

Collonel Richard 15,16,18, C;
Sir Richard of Colebrook 19;
Richard Esq. 20, of Eway 4,
of Montgomery Castle 19; Lord
Richard E; Sir Richard 2,3,
E, of Ewyas E; Robert 42,45,
73, E; Rosa Tyler V2C²
HERBERT, Samuel 42,67, E;
Sarah 49,53,54, V3²; Sarah
Va. V3²; Susan E; Susanna
V2C⁴; Sidney V3³; Tabitha 63,
67,68 V3¹; Taletha 66, V3²,
V4⁸; Teresa E;
HERBERT, Thomas 28,34,40,43,
47,48,49,51,54,59, C, E, M^{2,3}
V1⁴, V2A^{2,3}, V2B², V2C⁴;
Thomas I - 3],42,44,45;
Thomas II - 41,47, Shipwright
V2B¹, V4⁵; carpenter 44,45,
son of Gwilyn 3, Junr 45, of
North Carolina V2A^{1,2}, Sr. 54
of Troy House D; Thomas Jones
V2C³; Capt. Thomas, Mariner,
41,45, V1³, V4⁴; Capt. Thomas
(Silverfist) V2C²; Thos. 48,
land of V2A³; Violet V2A¹
Sir Walter 3, E; Whiddon 47,
48, will of 51
HERBERT, William 3,40,41,42,
47,48,59,60,61,64,67, E, V2A²
V2B^{1,2}, V2C³, of Borough of
Norfolk 67, Earls of Pembroke
I - 4,6,19, II - E, III - 11
12, E, VI - E, William Esq.
E; garden of William 56,
house of 57,58; William of
Kery E, of Ragland E, Lord
of Ragland 2,3, Ship Carpen-
ter 48, son of Phillip E, son
of Wm. E; William B. 39,40;
William Bertie V2A³;
Sir William 2, E, Earl of
Pembroke I - E, III - P,
natural son D, of St.Gillians
19, of Troy E, of St. Juliens
C, M¹, ap Thomas alias D,
beheaded at Banbury D;
Willm. 60,61; Willoughby 36,
48, V2A^{1,2}; Winifred E
HERIBERT I, II, III, IV, &
Count de Meaux D
HERLEAND, Thomas E
HERLEVE D
HEWLETT, J. Q. V3², V4⁸
HILDEBRANTE d
HILDEGARDIS D
HOBART, Sir Henry 11

HOBETT, John of PAcO	36	JOLLY, James	41, 45
HODGIS, Roger 26; HODGES,		JONES, Griffith 13,15,18, C;	
Roger 32, Y ⁴		Jno. 23; Mary 23,25,V2C ² ;	
HOGGARD, Alice McAlpine V3 ⁴ ,		Richard 25	
V4 ¹⁰ ; Elizabeth Cornick V3 ⁴ ;		JORDAN, Ben	67
Frances Dade V3 ⁴ , V4 ¹⁰ ;		Jowan	D
Horatio Cornick V3 ^{2,4} , V4 ^{9,10}		JOYNER, Annie Alberta	V3 ⁴
Hugh Page V3 ⁴ , V4 ¹⁰ , Eliza-		JUDITH	D
beth Cornick V4 ¹⁰ , Margaret		JULIAN	D
Herbert V3 ⁴ , V4 ¹⁰ , Mary Lou		KELSICK	54
V3 ⁴ , V4 ¹⁰ ; Nellie Livingston		KENDALL, Capt.	30
V3 ⁴ , V4 ¹⁰ , Thurmer III V2B ³ ,		KENNY, Edward E; Mary	E
V4 ^{7,10} , VI V3 ^{4,5}		KIDD, Andrew	67
HOLBEIN, Hans 5		KILM, Frid.	C
HOLLOWELL, land of 55; John		KINDER, Robert	67
67; Thomas 67		KLIM, Frid.(see Kilm)13,15,18	
HOLMES, Martha	Y3	KING HENRY V - D; VIII - 3,5,	
HOLT, James	61	6,19, reign of 14, Life &	
HONES, Eliz.	24	Raigne of 21; Henry the	
HOPKINS, Abigail 68,70;		Fowler	D
Armistead 39; Walter V2B ²		KUNIGUNDE	D
HORNE, Hannah 31,33, (Johanna)		LAKE, Francis 31,32; ffra. 32	
V1 ² , V4 ² ,Y ⁴ ; Johanna 31, Y ⁴ ;		Thomas 32	
Thomas 23,31, Y ^{2,3} , V1 ¹ , V4 ¹ ,		LAMBETHS, Thomas	Y1,2
cooper Y ³		LAND, Robert	35
HORROD, Jno.	25	LANE, Mary	V3 ⁴
HOWARD, Phillipp 36; William		LANEARE, Nicholas	12
R. V3 ⁴		LANGLEY, Elizabeth V2C ⁴ ;	
HOWELL D; son of David 2; ap		John 30; Mary 65	
David ap Ievan ap Rys, Gent		LATMER, Roc V2C ³	
3; ap Guillem D; Surdwell 2		LATTIMER, Barbara, Edward,	
HUGH D; HUGHS	D	Mary Anne & Pascow V2C ⁴	
HUMPHRY, Elizabeth	E	LAWES, Henry	12
HUNTER, Fanny V2B ² ; Mary 71;		LAYTON, Alice, 29; John 29	
Pembroke 65		LEA, ERNEST V3 ⁴ , V4 ¹⁰ , John	
HUTCHINGS, John Jr. 54;		Willis V3 ⁵	
Martha	W/H	LEADER, John	E
IEVAN	D	LEAGER, Tho.	Y1,2
INGRAM, Dr. John	V3 ¹	LEAK, Francis Y ⁴ , V1 ²	
IOWERTH	3	LEAKE, ffrancis 32; Thomas 35	
IVES, John 35; Timothy 35		LEESON, Mr. Francis	43
IVY, Ann 65; William 65		LEOFRIC	D
JACKSON, George, Jr. 71		LEWIS, Mary Anne	W/H
JAMES, King	20	LINCOLN, Henry Earl of	11
JENKYN ap Adam	3	LIVELY, Pascow H. V2C ⁴	
JENNINGS, Lemuel K.	73	Robert V2C ⁴	
JERNIGAN, Elizabeth V3 ⁴ ,V4 ¹⁰		LIVINGSTON, John 67,V3 ¹ ;	
JEVANAP ap Rytherch	3	Herbert V3 ¹ ; Margaret 49;	
JILIAN	D	Mary V3 ¹ ; Nancy Ann V3 ¹ ;	
JOANNE	D	Sally V3 ¹ ; Tabitha 67,73	
JOBE, Joan	Y2	LIWSY	D
JOHN of Gaunt 6; ap Guillem D		LLEWELLYN, 3, ap Seisyth	D;
JOHNSON, Alderman 30; Char-		Abel 31, ffewellen alias	V1 ²
lotte V3 ³ , V4 ⁹ ; Elizabeth 75;		V4 ² ; Daniel C; Edward 31,32,	
Richard of N. C. 36; Jm. Y1,2		44,45, Y ⁴ , V1 ^{3,4} , V4 ³ ; Eliza-	
JOLIFF, James	V3 ²	beth V1 ³ ; Hannah 33; John 53;	

Margaret 45; Mary 31, V1³;
 Paul 53; Richard 31, 32, 44, V1³
 LLOYD, Charles, Thomas E
 Jenkin, Esq. E
 LODGE, Edmond 12; Thomas 22
 LOUIS XIII 14, 19; the Pious D
 LOVEL, Thomas Y³
 LOVELACE, Capt. William 11
 LOVELL, Thomas V1¹, V4¹
 LOWE, Henry 67
 LOWERY, James 65; John V3⁴;
 Tabitha 65, V2B¹, V4⁵
 LOYALE, Paul 54
 LUCY D, a nun E
 LUITGARDE D
 LUSBY, Robert Y³

 McALPINE, Edward Henry Herh-
 ert V3⁴; Dr. James 74, V3³, V4⁹
 Laura 74, 75; Rebecca V3⁴
 McCOY, Josiah 72; Joshua, sale
 of 72, V3¹; Elizabeth Wiles
 V3¹, V4⁸; Levey 72
 McNAIR, Aline Herbert V3⁴;
 Annie Laurie V3⁴; Florence
 Grice V3⁴; Henry Vrooman V3³,
 V4⁹; Margaret Herbert V3⁴,
 V4¹⁰; Mary Rebecca V3⁴
 McPHERSON, Alexr. 45

 MacFASSON, Daniell 32
 MACKIE, Andrew 53
 MALCOLM, King of the Scots D
 MALLORY, John 53
 MANNING, John 25, 26, 61
 MARCHOG, Glas O' Went D
 MARGARET D
 MARGED D
 MARKHAM, Mrs. V1², Frances 31
 John 31, 41 Y⁴, V1³, V4², 3
 Margaret 31, 41, 42, Y³,
 V1¹, 2, 3 V4⁴; Richard 31, Y³,
 V1¹, V4¹
 MARNEX, Margaret W/H
 MARRINGTON, Marmaduke Y1, 2
 MARTEL, Charles D; Joane D
 Robert D
 MARY E, Lady 18
 MASON, Anne W/H; Elizabeth
 W/H; George 66; Thomas W/H
 MATHEW D
 MATHEWS, Capt. 30
 MATHILDE D
 MATHIS, Mary W/H
 MATILDA D
 MAUD D
 MAUND, Y⁴, V1²; Mary 35;
 William 33, 34

MAWD D
 MAXFIELD, Will E
 MAYNYRCH 3
 MAYO, Elizabeth 31, 33, 36, V1³
 V4⁴
 MEADES, Thomas Y1, 2
 MERCER, Thomas 27
 MERCHANT, Frank V3³
 MEREDITH, Richard E
 MERRIDAY, John Y1, 2
 MERRIDITH, Frances Y1, 2
 Thomas Y1, 2
 MESER, Thos. the Elder 35
 MIDDLEMORE, Thos. 30
 MILES, Jane V2B¹
 MITCHELL, John Young Stock
 V3⁴, V4¹⁰
 MIDDLETON, Thomas Esq 29, 30,
 of Barbados W/H, of London 30
 Capt. Thomas 30; Sir Th. 30;
 Sir Thomas 30, C, E; Ann C, E
 M³, Mrs. Ann, widow 30; Benja-
 min 30; Christopher 30;
 Elizabeth in London 30;
 Francis 30; Mr. Hugh 30;
 & Humpreyes 30; John 30;
 Robert 30
 MODDIFORD, Col. Thomas 30
 MODYFORD, Thomas 30, Sir 30,
 Governor of Jamaica 30
 MOLINEAUX, Richard Esq E
 MOORE, James 45
 MORGAN, Sir William E, Wm. E
 MORGANS D
 MORLEY, John 24; Sir John 3, D
 Joseph 24; Maud 3
 MORRICE, Mr. E
 MOSELY, Albert 54; Bassett 54
 house of Mr. Edward 68
 MURRAYS line 67
 MURRAY, George 72; John 64

 NASH, Abigale 40; Dinah 66;
 Elizabeth dau of John Herbert
 V - 39, V2A²; H. L. 70; H. M.
 74; John 70; Lydia V3²; Mary
 V3¹, V4⁸; Polly 40; Thomas
 39, 40, 49, 51, 59, 66, 73, V2A³,
 Thomas Creek V2B²; Thomas IV
 V3¹; Dr. Thomas VI V3²; W. M.
 74; William 39, 40, 49, V2A³;
 Wm. 40, V2A³
 NAUNTON, Penelope E, Sir
 Robert E
 NEST D, dau of Ays D
 NEVILL, Ralph 6; NEVILLE,
 Lady Alice 6; Richard 6

NEWMARCH, Bernard	D	William 6	
NEWPORT, line 20; Catherine		PARRY, Dorothy E; Richard	E
20, C, E, M ³ ; Capt. Christopher C; Francis C, E; Sir		PAVIA	D
Francis 20, C; Magdalen 19,20		PAYNE, Lydia 68; Michael 59,	
Margaret 19,20; Sir Richard		V2B ²	
19,20, E		PEAKE, James R. V3 ⁴	
NEWTON, John	E	PEED, Joshua	54
NICHOLAS, Henry Y ^{1,2} ;		PEPIN, King of Italy	D;
Pauline V3 ³		Count of Vermandois	D
NICHOLLS, James Bruce 73,		EMBROKE, Countess of E, P,	
Will	E	Earls of D, E,P; Hall 7 (Pix)	
NICHOLSON, Abigail 65; Ailce		Lady 5; male heir of C; Mary	
65; Alice 65; Ann 63,65, V2B ²		Countess of 7; Old Earl of 19	
V4 ⁶ ; Anne 64; Dinah 65; Eliz-		Philip, Earl of 30; William,	
abeth 65; George 65,72; James		Earl of 1,2,3,5,30; poems by	
64,65,66; Jessee 39; John 65,		Wm. Earl of 12	
67; Joshua 63,64,65, V2B ¹ ,		PERCY, Eleanor E; Henry E;	
V4 ⁵ , Joshus II 65; Lemuel 65;		Lady Katherine 6	
Love 67; Lovet 67, Lovet		PERRONE, Count	D
(Tatem) 65; Lydia 56,57,58,		PETER D, son of Herbert 3	
V2B ² ; Malachi 65; Mary 65;		PHILIP, Earl of Montgomery 11	
Patience Wright Porter 65;		PIPPIN, D, of Heristal D, of	
Pemmy 65; Prudence 65; Sarah		Landen D, the Short D	
65; Tabitha 65; Thomas 63,65;		PIGOT, Sir Edward E;	
William 64,67, will of 65;		Priscilla E	
William II 65, III 65, IV 65		PLANTAGENT, Catherine	E
Wm. 67, Y ³ ; Wilson 65		POOLE, Susan	25
NIMMO, James 45; William 45		PORTEN, Wm.	32
NORTH, Lord 13,18, C		PORTER, John W/H; Kezia 60;	
NORSWORTHY, William of	53	Mrs. Patience (Wright) 65,	
ODEON, Charles 42; Chas. 48		V2B ¹ , V4 ⁵ ; William 60,61,65,	
ODO, Bishop of Bayeaux	D	V2B ¹ , V4 ⁵	
OFFLEY, Elizabeth E; Robert E		PORTLOCK, Edward 36; F.L. V3 ²	
OGINA	D	Jno. 44; John 59,63,66,72,70,	
OLD, Alice V3 ⁴ ; Annie V3 ⁴ ;		73, V3 ¹ ; Lidia 63; Mary W/H;	
Edward Henry Herbert, Capt.USM		Maximillian V4 ⁸ ; Peggy V2B ² ;	
V3 ⁴ ; Dr. Herbert V3 ⁴ ; Marga-		Samuel 66; Simon 41; William	
ret V3 ⁴ ; William W. Jr. V3 ⁴ ;		41,45, W/H	
Capt. William W. V3 ⁴ , V4 ⁹		POWELL, David E; Henry E	
OLDBURY, Dorothy	E	POWELLS	D
OLDNER, Elizabeth V3 ¹ ;		POWIS, Baron E; Earls of	C
George 66		PRESBURY, William	Y ^{1,2}
ORANGE, Prince of 14,19		PRESCOTT, Jno. 32,36	
ORFORD, Lord	20	PRESLE 27	
OSBORN V2B ² ; OSBURN D; Mrs.		PRESTON, Mary & Sir Thomas	E
Abigail of Richmond 71		PRICE, Elizabeth, Joanna,	
OTHO	D	John, & Mathew	E
OVERBARY, Robert	30	PRYCE, Edward	E
OVERZEE, Simon	W/H	PUGHE, Guff	E
OWENS, Thomas 39,40		PURSELE, Thomas	E
PALMER, Sir James	E	QUEROVAILLE, Henrietta de	E
PANCRAFT, Abra.	24	RAGLANDS	D
PARR, Anne 5, 6, Lady Anne 5;		RAMSEY, Ann	E
Anne E; Catherine 6; Sir		RANDOLPH, Giles 49,53,54	
Thomas 6, E; Will 5; Sir		REIGNOLD, son of Peter	3
		RICCARD, Phillip	3
		RICE, Wm.	Y ^{1,2}

RICHARDSON, John V2B²
 RICHESON, Thomas 25, 32
 RIGGLESWORTH, Jane Y³, V1¹,
 V4¹; Peter Y³, V1¹
 RITSON, Thomas W/H
 RITTER, Phillip W/H
 ROBERT, King cf France D
 Count of Mortain D; Duke of
 Normandy D; the Strong D,
 Count of Troyes D
 ROBERTS, Sall. Y³
 ROBERTSON, John Willoughby W/H
 Rev. Moses W/H
 ROBINSON, James 67; John 30;
 Wm. 66
 ROBTs, Joane Y³
 ROE, William 35
 ROGERS D; John 35
 ROGERSON, Maria V3²; William
 V3²
 ROURK, John W/H
 ROUSE, Thomas Y^{1,2}
 ROWLAND, Charles H. W/H
 RUDIARD, James 12, Elizabeth
 E; RUDYARD, Sir Benjamin 12
 RUFUS, William D
 SAINT QUENTIN, Abbe D
 SALISBURY, Robert Earl of 11
 SANHOLT, Elizabeth V3¹
 SANDYS, Sir Edwin 30
 SATCHWELL, Sucky V2A³
 SAVAGE, George E
 SAWYER, Francis Y³
 SAYER, Francis Y³, Major 23;
 Richard 59; Tho. Y²
 SAYS, Gwion 3
 SCARBURGH, Henry V2B³
 SCOTT, Elizabeth V2B¹, V4⁵;
 Helen Lisle V3⁴, V4¹⁰; Jno. 25
 SEABURNE, John Y^{1,2}; Nicholas
 Y^{1,2}
 SHARP, William W/H; Wm. W.W/H
 SHEILDS, W. 53
 SHIELD, John 49
 SHREWSBURY, Ann 5
 SHUTTLEWORTH, Anne E; Henry E
 SIANKYN ap Adam D
 SIBYLL D
 SIDNEY, Mary E, P; Sir Phil-
 lip 22, E
 SIKES, Jesse 66
 SIMMONS, William V2A¹
 SIMPSON, James 67; Margaret
 of Liverpool 67
 SMALLWOOD, Charles 58, 59, 66
 SMITH, Dr. A. R. V3², V4⁸;
 Arthur R. 74; Bethiah 49;

Dorothy A. V3⁵; Eugenia V3⁴;
 Francis E; George Edward V3⁴;
 Captain John Esq. 11; Major
 John C; Margaret E; Rich. Y²;
 Richard Y⁴, V1²; Sir Thomas E
 William 54, decd 49
 SOMERSET, Sir Charles 4;
 Edward E; Elizabeth E
 SOUTHAMPTON, Henry Earl of 11
 SPARROW, Betty 42; Elizabeth
 71; Henry 71; Peter 42, 56, 58;
 William 71
 SPENCER, John 17; William E
 SPITLER, Jane E
 SPRAKLEG, Thorkil D
 STAFFORD, Ann E; Henry E
 STANLEY, Mary E; Thomas E
 STARKEY, William 24
 STEPHEN II D
 STEPHENSON, Miss Mary 50
 STRADLING, Elizabeth 3
 STRING, Joseph V3⁴, V4¹⁰
 STUMP, John V3⁴
 STYRON, Mary V3⁴
 SUFFOLK, Thomas Earl of 11
 SUGGS, George 35; Mary 36;
 William V2A¹
 SUMERELL, Jean 54; John 53,
 V2B²; Sarah 53, V2B²
 SUMMERELL, Jane 54; John 54;
 Sarah 54
 SURDWALL, Howell 3
 SUSUNA D
 SWAIN, Thomas O. V3³
 SWEENEY, Martha W/H
 SYARLOCK Y^{1,2}
 SYBIL D
 TALBOT, 19; Anne 5, E;
 Catherine E, Lady P; Francis
 E, Lord 5; George E; Gilbert
 11; Mary 11, 12, P; Thomas E
 TATEM, Dina (Nash) 66, 73;
 Dinah V2B²; E. A. 74; Ellen
 C. 74; Ellen Catherine V3²,
 V4⁸; James 40; John 49, 54,
 Sr. V2B²; Lovet 65, orphan 67
 Margaret Anne 74, V3², V4⁸;
 Nathaniel 65, 66, 70, V2B²;
 Nathaniel Portlock 74, V3¹,
 V4⁸; Nathl. 67; Polly (Nash)
 40; Rebecca V3²; Thomas 73
 TAZEWELL, Littleton T. W/H
 THELABALL, land of 65
 THEOBALD II D
 THROGMORTON, Sir Robert E
 THOMAS, Evan 13, 18, C; Isabel
 E; Thomas 13, 15, 18, C, Sir

Thomas ap Adam D; Thomas ap
 Guillem Esq D; Sir William 3;
 THOMPSON, Elizabeth 67; Isaac
 67; Robert 67; Sarah W/H
 TOOMER, Fanny 73; Shelden 39,
 73
 TRAHERNE 3
 TREAVOR, Art. 13,15,18, C;
 Sir Thomas 13,18, C
 TRIMBLE, John 67
 TUCKER, Ann 71; Barbara 71;
 Eliza. 71; Frances 35; Marg-
 aret 42; Mary 71, V2B²;
 Robert 26,35,59; Sally 71;
 TUDOR, Jasper E
 TYRENS, Anthony 17
 TYSLEY, Richard Y^{1,2}
 VACHAN, Howell D
 VALLENTINE, David 52; George
 Y^{1,2,3}, George Ballantine
 alias 34,, V1¹
 VAN HOLT, Mrs. Betsy V3¹
 VAUGHAN, Sir Henry E; Herbert
 E; Sir Robert E; Sir Roger D,E
 VAUGRANS D
 VEALE, Elizabeth V2B¹
 VENEBY 60
 VERE, Edward E; Lady Susan de
 P
 VILLIERS, Catherine E
 VIVENIA, William de D
 WALDEGRAVE, Henriette E;
 James E of Waldgrave E
 WALKE, Anthony V3¹; Sally 64;
 WALKER, Arthur V3⁵; Arthur L.
 V3⁴
 WALLER, Jno. 25
 WALLIS, Wm. 45
 WALLOP, John E; Mary E
 WALSHE, Sir John 3; Margaret
 3
 WALTER D
 WARD, John 35
 WARDINS, James 36
 WARNER, James Y²
 WASHINGTON, Geo. 66
 WATKINS, John 35
 WATSON, Dorothy 13,15,18, C
 WEBSTER, Commodore Charles V3⁴
 WELS, Sir John D
 WEST, Grace Y^{1,2}
 WHEELER, William Y^{1,2}
 WHIDDON, Abigail 59,60; John
 35,41,47,49,51,52,53,59,64,
 Y⁴, V1², V2B¹, Jr. V2A²; Mary
 47, V2B¹, V4⁵
 WHIDON, John 60

WHITE, Patrick Senr. 45,
 Richard Y^{1,2}, Sarah 27, Tho. 24
 WICKENS, Mary V2A¹
 WIDVILLE, Lady Mary E;
 Richard E
 WILKERSON, John Y³, V1¹
 WILKINS, Mary V2A¹;
 William V2A¹
 WILKINSON, 12; J. R. 54;
 Joane Y²; Jno: 24,25; John 23,
 24, Y²; John Herbert alias C,
 E, W/H, V1¹, V4¹; Mary 27;
 Mary Herbert alias 23
 WILLIAM ye Conqueror 3, D
 WILLIAMS, Mary 23; Mr. E;
 Stephen 53; Willi 40
 WILLIAM(SON) Roger Y²
 WILLIAMSON, Thomas 55
 WILTON, Jacke 22
 WILLOBE, John V1^{1,3}
 WILLOUGHBY, 12; Alice 29;
 Ann W/H, V1³; Edward 29;
 Elizabeth 31,33,35, of Bar-
 bados 29, W/H, V1^{3,4}, V2A¹,
 V4⁴; Elizabeth Frances W/H;
 Frances W/H; George A. W/H;
 James W/H; John 54, W/H, V4⁴;
 John of Blackwater 35, V1³;
 Lemuel W/H; Margaret W/H;
 Margaretta W/H; Martha W/H;
 Mary W/H, Mary W. W/H;
 Merriam W/H; Sir Percival 30;
 Samuel W/H; Sarah W/H; Tho.
 of So. Branch 32; Thomas 26,
 28, W/H, V1^{1,2,4}, V4²; Thomas
 II 29,30, Lt. Col. W/H;
 Thomas III W/H; Thomas of
 Barbados 29,30; son of John
 35; son of Mary Bennett 31;
 Marriner 30; of So. Branch
 32,33, W/H; Jr. 27, W/H;
 Sr. 28; Capt. Thomas 27,28,
 29, Y^{1,2,3}; Capt. Thomas IV
 W/H, Capt. Thos V1¹; Thos.
 V4¹, C; Capt. William W/H;
 Wm. 35
 WILSON, Charles V3⁴; Dinah 65;
 WM. ClCur 72,73
 WINDETT, Edward Y^{1,2}
 WINDSOR, Gerald de D
 WOGAN, Sir Henry 3
 WOODHOUSE, Capt. 11; David 11;
 H. B. 74; Sir Thomas E
 WORCESTER, Earl of 19, C
 WORMINGTON, William V2A¹
 WORTHINGTON, Dr. H.H. V3²
 Dr. R. H. V4³

WRIGHT, Patience 65
 Richard Y^{1,2}
 WYNN, Anne Y^{1,2}
 WYNNE, Humphrey E
 XTIAN, D, dau of Gwaryn ddu 3
 YATE, family of Y¹; John Y²
 Thomas Y^{1,2}
 YATES, Elizabeth Y⁴, V1²;
 Faith Y⁴, V1²; Frances 31,
 Y^{2,3}, V1¹, V4¹; Jane/Joane Y^{3,4}
 Jane V1^{1,2}; Joane 31, Y^{1,2} 3,
 V1^{1,2}, widow 51; Jqanna V4¹,
 Y^{2,3}; John 51, Y^{1,2}, Ship-
 wright Y²; Mary 35, Y⁴, V1²
 Richard 23, 25, 35, Y^{1,2,3,4},
 V1^{1,2}, merchant Y¹
 YEATES, Richard 3
 YEO, Leonard Y³, V1¹

SUBJECT

Adventurers 30
 Aliases V1¹
 Arms, 41, on Thos. Herbert's
 will 43, V1³, House of Hanover
 43
 Bible, Large Family 64
 British 50
 Chancery Suit 60
 Committee of Safety 66
 Dymond Hatband 16
 Forgery, the 1
 First Colony of Virginia 11
 Loyalists Claims 50
 Marriage, First in Va. 29
 Master Builder 66
 Navy, Continental 59
 Peerage of Ireland 20
 Quakers Y³
 Revolution 59
 Shipbuilder, Master V2A¹
 Skinners, Company of 30
 Surname Archive 43

SHIPS:

America 66, Y²
 American Congress 66
 Assurance Y³
 Foxe (see ffox) Y²
 Hopewell Y^{1,2}
 Liberty V2C²
 Mosquito V2A¹
 Nonsuch 30
 Norfolk Revenge 71
 Prosperous 29, W/H
 Row Gallies 66
 Safeguard V2C²

Truelove de London Y²

SLAVES:

Abby 48,63; Afta 61; Aggey 63
 Alfa 60; Alice 55; Amey 68;
 Airy 39; America 39,60,61;
 Arthur 63; Backus 70; Barbara
 40; Bernteo 47; Bemko 47; Bess
 68, Betsy 72; Betty 64,68; Bob
 64; Bridget 40,64; Carlton 40;
 Casar 55; Caesar 56,63; Cate
 39; Charles 47; Cloe 63; Con-
 ner 55; Courtney 40; Criss 70
 Cuffy 60,61; Daniel 40,47;
 David 60; Davy 55; Dick 47,56
 Dinah 48,60,61; Edy 72; Epex
 63; Exxex 72; Frank 68; George
 39,55,57,72; Georgie 40; Glas-
 gow 60,61; Grace 39; Hannah
 39,48,63,72; Little Hannah 63;
 Old Hannah 55; Jack called
 young Jack 39,55,56,60,61,70;
 Jame 53,60; James 40; Jane 61;
 Janny 60; Jeffrey 39; Jenny
 39,48, decd 60; Joe 55,56,63,
 68,70; John 39,40,72; John Hill
 40; Juley 39; Kate 47; Kath-
 erine 47,48; Kitty 63; Lettice
 48; Lila 60; London 39; Luenna
 72; Lydia 39; Mariah 40; Mary
 72; Mole 39; Moses 72; Nan 40;
 Nancy 39,60,61, dau of Cate
 39; Ned 39; Neero 40; Nelliphy
 63; Nepton 70; November 55,56;
 Peg 68; Penelope 56; Peter 40,
 47; Pheebe 48,61; Phillis 47;
 Quash 39,63; Rachel 39,40,72;
 Rose 40,55; Sall 63; Sam 40,
 47,56,72; Sandy 72; Sarah 72;
 Saul 60; Soul 61; Scipio 47;
 Sharper 55,67; Solomon 55,56;
 Sylvia 40,72; Tab 40; Tabb 40;
 Tarlton 40; Tom 39,40,55,56,
 60,63,72; Thomas 64; Toney 63,
 72; Veneby, decd 60; Venus 55;
 Will 60,68,70

Tithable, So. Branch 55
 Vestrymen of St. Brides 59
 Va. London Company 11, 30

PLACE

Alhalowes, Barking, London,
 England 29,30, W/H
 Antiqua 30; Azincourt D;
 Barbados 12,30; Baset, land
 called 59, V2B²; Basit 41,59;
 Basse's Choice W/H; Batre

Whole Y²; Bay Tree Hole 47,51
 52, Y^{2,4}, V2B^{1,2}; Berkeley 63
 Blackmore 23; Blackwater 35;
 Borough of Norfolk 45,73;
 Brigg Point Division 56,58;
 Bristol, Eng. 30; Broad Creek
 44,45; Broad Marsh 26; Castle
 Island, Ire. 13,14,15, C;
 Cherbury Church 15; Cheshire,
 Eng. V2B²; Chesterfield Co.,
 Va. V2B²; Chowan, N. C. V2B;
 Cypress Ponds 35; Deep Creeke
 24,25,26,33,39,47,48, Y³,
 V1³, V2B¹; Digbys, land call-
 ed 41,59, V2B^{1,2}; Digbys 45;
 Dingaling Creek 25; Dum out
 of the Mire Creek Y^{1,2};
 Eastern Branch 56,58,59 W/H;
 Edmonds Bridge 35; Elizabeth
 City Co., Va. W/H; Elizabeth
 River 33,59; Eyton co Shrop-
 shire, Eng. 13, house of 19;
 C; Ferry Point 55,56,57,59,
 63,67,73, V2B², V3¹, Ferry
 Point Lots #2 - 68, #3 - 66,
 #4 - 66, #5 - 56, #17 & 19 66
 lots at 58,71; Ferry Point
 Road 55,56,58,64; Gaythers
 Creek Y^{1,2}; Goose Creek 24,25,
 26,33; Great Bridge 55,67,
 Battle of Great Bridge 50,
 V2A³, V2B²; road to Great
 Bridge 58,64; Henrico, Col-
 lege at 30; Ireland 5; Isle
 of Wight Co. 53,54, V2B²;
 Ivy House, Hampton, Va. V2C¹;
 Jamestown V2A¹; Julians Creek
 24,25,41,48, V2A¹, V2B¹, V2C¹;
 co. Kerry Ireland 14; Kings
 Road 35; Killarney co. Kerry
 Ire. C, M; Level Green 74;
 V3²; Liberty Street, London
 56,57,58; Little Creek 64,65;
 Liverpool, Eng. 67; London 19,
 30; Long Creek 25,41; Lower
 Norfolk Co. C; Main River of
 Southern Branch 56,58; Maine
 Riverside 25; Main Road 65;
 Malcoms Point 49; Marine
 Hospital 73, V2B², V3¹; Mer-
 chant Taylors School 29, W/H;
 Merke, land in the Y²; Mon-
 mouthshire V1¹; Montgomery 15.
 C, Montgomery Castle 14, C;
 Lymore, Montgomeryshire 14,
 C; Muckross House M¹; Musketo
 Point W/H; Nansemond Co. Y^{1,2}

Newtown 42; Nonesuch Harbor
 30; New Norfolk 51; Norfolk
 Borough 65; Norfolk Court 53;
 Norfolk Co. Militia 66; House
 & Lot in Norfolk Town 70;
 Town of Norfolk 68; W/H;
 Old Building Place Point 49,
 54, V2B²; Old Hardy Place 63,
 University of Oxford 12,19;
 Oyster Shell Point Y^{1,2}; Par-
 adise Creek 49,53,54, alias
 Broad Creek 44,45, V1³, V2B²,
 south side of 41; Paris 19,
 Embassy at 21; Parish Line 65;
 Pembroke River 11; Perquimans
 Co., N. C V1³; Petersburg, Va.
 12; Pockaty Bridge 35; Point
 of Marsh Plantation 41, V2C¹;
 Poplar Hall V3³; Poplar Neck
 56,58, V2B²; Poplar Point
 Creek 73; Parish of Ports-
 mouth 48,49,50,54,67,71, V2A¹
 Potters Cove 55,56,58,64, V2B²
 Powder Point 55,57,58; Powder
 Point Creek 55, V2B²; Powder
 Point Road 55; Princess Anne
 Co. 60, V1³; Pugh (Pew) in
 Norfolk Church 70; Pumunky
 River W/H; Queen St., London,
 Eng. C; Ragland D; Rappahan-
 nock River 11,66; Red Lyon
 Alley, St. Botolph, Algate,
 London, Eng. 29, W/H; Roches-
 ter, Eng 29, W/H; Salop, co.
 of 13,14; Parish of St.
 Brides 51,66; St. Giles in
 the Fields, Middlesex, Eng.13.
 C; St. Leonards, Bromley, co.
 Midd., Eng. 30; St. Michaels
 Barbados 29; Shipyard 57,58,
 59,66, on James River V2A,
 Herbert Shipyard V2B¹;
 Slaughter Land 67; Sloopyard
 Point 56,58, V2B²; Somers
 Islands 12,30; Southern Br.
 of Eliza. Riv. 23,24,25,35,43,
 44,47,49,51,52,56,59,67;
 Steep Point 56,58; Warwick Co.
 V2A¹; Washington Powder Point
 72; Washington, Town of 63,67,
 lots in - #2 73, #3 66, #4 66,
 #13 73; West Indies 12; West-
 ern Branch of Eliza. Riv. 45
 65,67; Williamsburg 48,50,71
 Willoughby Point W/H; Wilton
 Abbey 5; York Co., Va. 66;
 York River W/H

REFERENCE CODE TO HERBERT RESEARCH IN ENGLAND, BRITISH WEST INDIES AND VIRGINIA

REFERENCE IN VIRGINIA AFTER 1649 IS TO LOWER NORFOLK OR NORFOLK COUNTY RECORDS UNLESS OTHERWISE INDICATED

- A through J - Lower Norfolk County and Norfolk County Books beginning in 1637. Book I is Book Eye not Book One.
 Deed Book 4 is the first numbered Deed Book still existing in the Lower Norfolk & Norfolk County Records
 A = p# = Abstracts from Norfolk City Marriage Bonds 1797-1850 Ed. George Holbert Tucker, Wm. H. Delaney Pub. 1934
 A' = The New England Historical & Genealogical Register volume 47 &c
 AC/Cooke = American Commonwealths - Virginia by John Estes Cooke - Ed. Horace E. Scudder Pub. Houghton, Mifflin & Co., N. Y. 1903
 AGW = Alice Cranbery - Editor, Compiler, Researcher and Publisher of this publication.
 Ant = Antiqua, History of the Island of 1635 - 1896 by Vere Langford Oliver 2 vols. London 1896
 AU = Europe in the Middle Ages by Ault
 B + p# = Virginia, Rebirth of the Old Dominion by Philip A. Bruce 5 vols Illus. Chicago 1929
 BAR = The Monumental Inscriptions of the British West Indies Ed. Vere Langford Oliver Dorchester 1927
 BD = Genealogical & Heraldic History of the Extinct & Dormant Baronetcies of Eng., Ire., & Scotland, by John & John B. Burke London 1844
 BD² = Genea. History of the Dormant, Abeyant, Forfeited & Extinct Peerages of the British Empire, by Sir Bernard Burton 1963(1883)
 BG = Burke's Genealogical & Heraldic History of the Peerage, Baronetage & Knighthood. Ed. L. G. Pine 102 Edition 1959
 BH = Burke's General Armory. The General Armory of England, Scotland, Ireland & Wales by Sir Bernard Burke London 1884
 BL = Burke's Landed Gentry 18th Edition 1964 (NOTE: Because of some erroneous items found in the Burke's volumes preference is given to more reliable sources especially when there is a difference of opinion. AGW)
 Br = Social Life in Virginia in the 17th Century by Philip Alexander Bruce
 Briggs = Virginia Settlers & English Adventurers by Noel Currer-Briggs 3 vols in 1 - Genea. Pub. Co., Baltimore, Md. 1970
 Briggs² = English Wills of Colonial Families by Noel Currer-Briggs. Pub. Polyanthos, Cottonport, Louisiana 1972
 Briggs³ = Colonial Settlers & English Adventurers by Noel Currer-Briggs. Pub. Genea. Pub. Co., Baltimore, Md. 1971
 Bristol = Bristol & America Transcribed by R. Hargreaves-Mawdsley Pub. Genea. Pub. Co., Baltimore, Md. 1967
 Butt = Marshall Butt 1896-1973 - Dir. U.S. Norfolk Shipyard Museum Portsmouth, Va. Reliable Extensive Research in the Norfolk Area.
 C + p# = Calendar of Virginia State Papers
 C-B = See Briggs
 Carib = Caribbeana, British West Indies, by Vere Langford Oliver 1909 - 1919
 CH = Virginia Heraldica by Wm. A. Crozier Baltimore 1963
 Cher = Life of Lord Herbert of Cherbury by Himself. 3rd Edition printed by J. Dodsley in Pall Mall, London 1778
 CP = Collins Peerage
 DNB = Dictionary of National Biography
 DoD = Dictionary of Dates by Eris F. Smith, Everymans Library
 Dug = Baronage of England by Dugdale 2 vols pub 1675
 DWN = Heraldic Visitations of Wales & Part of the Marches by Lewis DWN 2 vols. (N. Y. Pub. Library has this) Pub. 1846
 Vol. I pp 30, 137, 196, 197, 239, 292, 293, 295, 312; Vol. II pp 37, 38, 45, 54, 55, 58.
 ED = Pedigrees of the English Peers by Sir Wm. Segar, Kt., G., Prin. King of Arms & Continued to the Present Time by Joseph Edmondson, Esq., Mowbray Herald Extraordinary, England 1784
 EL = Thomas Lodge & Other Elizabethans
 EncB = Encyclopedia Britannica, 11th Edition volume XIII New York 1910
 Ep = Epitaphs - Graveyard Humor and Eulogy compiled by W. H. Beable, Pub. Thos. Y. Crowell Co., N. Y.
 ES = Our English Surnames by C. W. Bardsley 1875
 EW = Dictionary of English & Welsh Names by C. W. Bardsley
 GB = Census of Great Bridge, Norfolk County, Va. 1850
 Ge² = The Genealogist, New Series
 Genealogical Society of the Church of Jesus Christ &c. fill 92169 PCC 1648 Fol. 138. Photo of original will of Edward, Lord Herbert
 G Ped = Genealogical Tables, Illustrative of Modern History by George Pub 1916 of Cherbury
 Grays Inn = Register of Admissions to Gray's Inn 1521-1889 &c by Joseph Foster London 1889
 H = Henning's Statutes at Large - Virginia & Shepherd's Continuation also Index to: Personal Names in Henning's by J. J. Case 1933
 HAR = Harleian Society Publications. Visitations of London 1633-1635 bol I p 376 &c (see also Visitations)
 Her-Giles = Looking at Heraldry by C. W. Scott-Giles London 1962
 Her-STJH = Heraldry for Craftsmen & Designers by W. H. St. John Hope. Pub. Sir Isaac Pitman & Sons Ltd. No date
 HUST = Calendar of Wills in Court of Husting, Ed. Reginald R. Sharpe DCL, Printed by John C. Francis. London 1889-1890
 Hutchinson = Research done in Barbados in the extant deed books & Parish records of Marriages, Births & Deaths for AGW.
 Ireland = Index to the Prerogative Wills of Ireland 1536-1810 Ed. Sir Arthur Vicars FSA Genea Pub. Co., Baltimore, Md. 1967
 Jam = Monumental Inscriptions of Jamaica compiled by Phillip Wright, Society of Genealogists, London 1966
 JnoS = The General History of Virginia, New England & Summer Isles by Captain John Smith vol II Richmond, Va. 1819
 Journal of the Cumberland Committee
 Journal of the Council of Safety of Virginia, Ed. H. R. McIlwaine Pub. Va. State Library 1931 vols. V & VI London 1835
 Lodge = Portraits of Illustrious Personages of Great Britain with Biog. & Hist. Memoirs of their Lives by Edmund Lodge, Esq., FSA /
 LNC = Lower Norfolk County Records Nc or Nco = Norfolk County MB = Minute Books Nc Guardian = Norfolk Co. Guardian Accounts
 LonM = London Marriage Licenses by J. Foster Ed. 1521 - 1869 Pub. 1887
 Mag-Reg = Register of Magdalen College, Oxford University - New Series 1901
 MDB = Modern Domesday Book (Doomsday) Leeds 1873
 Mo = Birth of the Middle Ages by Moss
 MTS = Merchant Taylors School Register 1561-1934 Ed. Mrs. L. P. Hart vols I & II London 1936
 N = Lower Norfolk County, Virginia Antiquary Edited by E. W. James 1895 - 1906
 NGS = National Genealogical Society Quarterly, Washington, D. C.
 NP = The Norman People & Their Existing Descendants in England & U. S. A. 2nd Edition
 Nu = Cavaliers & Pioneers by Nell Marion Nugent, Baltimore 1963 & Nu² = Vol. II - Va. State Library, Richmond 1977
 OM = England Before the Norman Conquest (to AD 1066) by Sir Chas. Oman
 OQ or Hotten = Original Lists of Persons of Quality by John Camden Hotten Baltimore 1962
 Pac or Paco = Princess Anne County, Virginia
 PB = Virginia Land Patent Books (Virginia State Library)
 PCC-Soame = Abstracts of Wills in Prerogative Court of Canterbury at Somerset House, London. Eng. Ed. J. Henry Lea Pub. Boston 1904
 Pine = American Origins by L. G. Pine New York 1960
 Portlock = Franklin Portlock, a Herbert Descendant, of Norfolk, Va., His early research contains some errors, but 1800s on is reliable.
 PRO-Eng = A List of Wills, Administrations &c in the Public Record Office 12th & 19th Centuries Baltimore 1968
 SH = Shakespeare's Heraldry by Charles W. Scott-Giles, MA. Pub. E. P. Dutton Co., Inc., New York 1950
 Sid = Sir Philip Sidney by H. R. Fox Bourne, Putnam's Sons, London 1901
 Sims = Index to Pedigrees & Arms in Heraldic Visitations & Other Genealogical MSS in the British Museum by R. Sims. London 1849
 SM = The Middle Ages by Strayer and Munro
 Stith = Index to Stith's History of Virginia by Morgan P. Robinson, Bulletin of Va. State Library Richmond 1912
 Swem = Virginia Historical Index by Earl Gregg Swem 1934
 Th = The Norman Conquest of England by Thierry
 To = Virginia Wills and Administrations 1632 - 1800 by Clayton Torrance 1931
 V = Virginia Magazine of History & Biography, Virginia Historical Society, Richmond, Va.
 VA = Virginia Antiquary vol I (Princess Anne County Loose Papers) by John Harvie Creecy. Dietz Press, Richmond, Va. 1954
 Vab = Virginia Colonial Abstracts by Beverly Fleet 1937
 VC = Records of the Virginia Company of London. Edited by Susan M. Kingsbury 4 volumes Washington 1906 - 1935
 Vis = Visitations - see Harleian Society Publications (HAR)
 VWBC = V. W. B. Church, Esq. - Research done in the Society of Genealogists & Elsewhere in England for AGW between 1962 - 1966
 W' & W² = William and Mary Quarterly Magazine, Series 1 & 2, Williamsburg, Va.
 WB = Will Book
 Wilt = Curiosities of Wiltton House 10th Edition Salisbury, England 1784
 Win' = Unrecorded Wills in Norfolk County, Va. by Elizabeth B. Wingo 1961
 Win² & Win⁴ = Norfolk County Marriages vols. 1 & 2 by Elizabeth B. Wingo Pub. 1961 & 1963
 Win³ & Win⁶ = Marriages of Princess Anne County, Va. vols. 1 & 2 by Elizabeth B. Wingo Pub. 1961 & 1968
 Win⁵ = Norfolk County, Va. Revolutionary War & War of 1812. Applications for Pensions &c by Elizabeth B. Wingo Pub. 1964
 WS = History of Norfolk County & Representative Citizens by William Stewart 1905

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